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**General Assembly**
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**The situation in the Middle East**

**Security Council**
**Fifty-ninth year**

## Identical letters dated 14 June 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

In reference to our letter of 8 June 2004 and in reply to the accusations put forward by the Chargé d'affaires of the Permanent Mission of Israel to the United Nations in his letter dated 8 June 2004, I have the honour to transmit to you herewith a list of Israeli violations and acts of aggression committed against Lebanon during the period from 16 May to 13 June 2004, which is a clear indication of the provocative military operations conducted by Israel on land and sea and in the air (see annex).

It can be seen from the said list and the many that have preceded it that these violations and acts of aggression are near-daily occurrences.

The fact that Israel chose the only incident that occurred during the night of 7 June 2004 and presented it in a negative light to the Council, describing it as an act of aggression against an Israeli warship, which, according to statements by the spokesman for the United Nations Interim Force in Lebanon (UNIFIL), was cruising in Lebanese territorial waters — an incident in which, moreover, no one was injured — is misleading. That incident cannot in any way constitute grounds for the air raid carried out by Israel in the Na`imah hills, a few miles from the airport of the Lebanese capital, Beirut, nor can it justify all the acts perpetrated before and since 7 June 2004.

The reference in the Israeli Mission's letter to the potential grave consequences of this limited incident for Israeli civilians or UNIFIL troops is exaggerated to the point of defying comprehension by any rational being. Such dangers are nothing in comparison to the daily threats occasioned by Israeli aircraft laden with bombs and missiles that fly and break the sound barrier over the UNIFIL bases situated in Lebanese territory and over the heads of hundreds of thousands of Lebanese civilians. These dangers, moreover, cannot match the dangers to which Lebanese fishermen navigating in Lebanese territorial waters are constantly exposed when they become the targets of heavy machine-gun fire from Israeli warships or the dangers inherent in the near-daily random shelling by Israeli field artillery of the

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villages of Shab`a and Urqub and other villages of the South inhabited by civilians. What can be said, furthermore, of the persistent refusal by Israel to provide UNIFIL with the rest of the maps indicating the location of the mines which were laid by the Israeli army in Lebanese territory and constantly endanger the lives of the Force's personnel and Lebanese civilians?

The allusions, in the letter addressed to you by the Israeli Chargé d'affaires, to a Syrian Arab or Iranian role in sponsoring what Israel claims to be terrorism are slanderous lies designed to justify the State terrorism practised by the Israeli armed forces against the population of the territories under their occupation, a practice engaged in by the Israeli State against the inhabitants of territory occupied by it for more than 22 years, after which it was forced by the resistance to withdraw. You are aware that the international community distinguishes between acts of terrorism, which target civilians, and acts of resistance to foreign occupation.

The Israeli Government's constant accusations, threats and acts of aggression against Lebanon are part of a policy to keep the region in a state of permanent instability so as to enable Israel to refuse to implement Security Council resolutions, in particular resolutions 242 (1967) and 338 (1973); to evade its international commitments; and to shun peace efforts, including the Arab peace initiative and the road map. These facts are not unknown to the Security Council.

Lebanon will continue to inform you of all further violations and acts of aggression committed by Israel, however numerous, for they reveal the true face of Israel in its aggression against our country and show the restraint evinced by the Lebanese as well as the suffering endured by them as a result of Israel's actions.

Lebanon reserves its right to call for a meeting of the Security Council to discuss these acts of aggression whenever it so deems appropriate.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative

## Annex to the identical letters dated 14 June 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

## List of Israeli violations and acts of aggression committed against Lebanon during the period from 16 May to 13 June 2004

**16 May 2004**

Between 1515 and 2030 hours Israeli enemy forces positioned within the occupied Shab`a Farms fired a number of rounds at the area around Ruwaysat al-Alam and Radar hill.

At 0229 hours an Israeli military boat in the open sea off Ra's Naqurah fired a flare bomb.

**17 May 2004**

Between 1035 and 1205 hours Israeli enemy forces positioned within the occupied Shab`a Farms fired a number of rounds at the area around Radar hill and Ramta.

At 1926 hours an Israeli military boat in the open sea off Ra's Naqurah fired a number of rounds from medium-calibre weapons and at 2100 hours it fired a flare bomb.

**18 May 2004**

At 0636 hours and again between 2005 and 2230 hours an Israeli military boat in the open sea off Ra's Naqurah fired a number of rounds from medium-calibre weapons.

**19 May 2004**

At 2149 hours an Israeli military boat in the open sea off Ra's Naqurah fired a number of rounds from medium-calibre weapons.

**21 May 2004**

At 2129 hours an Israeli military boat in the open sea off Ra's Naqurah fired a number of rounds from medium-calibre weapons.

**24 May 2004**

Between 1830 and 1850 hours two Israeli helicopters overflew the occupied Shab`a Farms at medium altitude.

**27 May 2004**

Between 0705 and 1055 hours and Israeli reconnaissance aircraft flew at medium altitude over South Lebanon, then proceeded in a northerly direction and circled over the Beirut and Mount Lebanon areas, thus violating Lebanese airspace.

Between 1715 and 1830 hours an Israeli reconnaissance aircraft and four warplanes overflew the sea off Byblos (Jubayl) at various altitudes, circled over the Byblos, Baalbek and Shikka regions then left Lebanese airspace, heading out to see off Shikka.

Between 1930 and 2205 hours two Israeli helicopters overflew the occupied Shab`a Farms at medium altitude.

**28 May 2004**

Between 1045 and 1113 hours two Israeli warplanes overflew the sea off Tripoli at different altitudes, proceeded towards Shikka and then the plain of the Bekaa, circled over the Baalbek, Deir al-Ahmar, Yammunah, Shikka and Batrun areas, then headed in the direction of the Naqurah region and left Lebanese airspace.

**5 June 2004**

Between 1400 and 1840 hours an Israeli reconnaissance aircraft overflew the sea off Tyre at medium altitude and circled over the Tyre, Nabatiyah and Sidon areas.

**6 June 2004**

Between 1025 and 1130 hours four Israeli warplanes overflew the sea off Tyre at various altitudes, then proceeded north towards Beirut, the Bekaa plain, Hirmil, Shikka, Tripoli and Halba. Next they circled over the Bekaa, North Lebanon and Beirut areas, then headed in the direction of the Naqurah region and left Lebanese airspace.

**7 June 2004**

Between 0530 and 0635 hours an Israeli reconnaissance aircraft overflew the sea off Tyre at medium altitude, then circled over the Tyre, Nabatiyah and Sidon areas.

Between 0757 and 0825 hours an Israeli reconnaissance aircraft overflew the sea off Tyre at medium altitude, then circled over the Tyre, Nabatiyah and Sidon areas.

Between 0930 and 0955 hours two Israeli warplanes flew at high altitude over the occupied Shab`a Farms area, then headed north.

Between 0933 and 1017 hours four Israeli warplanes flew at various altitudes over the occupied Shab`a Farms and were then joined by two additional warplanes. All the aircraft overflew the sea off Shikka and circled over the Shuf and Shikka regions.

Between 1000 and 1030 hours a reconnaissance aircraft violated Lebanese airspace over the Naqurah region.

Between 1030 and 1040 hours two Israeli warplanes flew at various altitudes over the sea off Tyre, then headed east, circling over the Ma`rakah and Qana areas.

Between 1200 and 1230 hours a reconnaissance aircraft overflew the Naqurah region.

Between 2145 and 2235 hours an Israeli reconnaissance aircraft flew at medium altitude over the sea off Damur, then circled over the Khaldah and Damur regions.

At 2155 hours two Israeli warplanes violated Lebanese airspace over the sea off Damur, then circled between Beirut and Damur. At 2205 hours they carried out a raid on the Na`imah tunnels, positions of the Popular Front General Command, firing four air-to-ground missiles. There were no human casualties.

**8 June 2004**

Less than 24 hours after the Israeli air raid on positions of the Popular Front General Command at Na`imah, the situation in the field in the occupied Shab`a Farms area grew tense, as follows:

Between 0855 and 1220 hours Israeli enemy forces fired a number of 120-mm mortar shells from one of their positions within the occupied Shab`a Farms. The shells landed in the area around Birkat al-Naqqar, on the edge of the said Farms.

At 1445 hours Israeli enemy forces raked the area around their position at Ruwaysat al-Alam, within the occupied Shab`a Farms, with medium-weapons fire and the sound of two explosions of unknown cause was heard coming from within the Farms.

At 1522 hours the enemy fired a number of 155-mm artillery shells and 120-mm mortar shells from its positions within the Farms. The shells fell in the area surrounding the villages of Kafr Shuba, Kafr Hammam and Habariyah.

Between 1650 and 1910 hours an enemy reconnaissance aircraft and military aircraft overflew the occupied Shab`a Farms and the Marj `Uyun region and the sound of a number of explosions of unknown cause was heard coming from within the Farms.

Between 2055 and 2120 hours an Israeli helicopter flight took place over Lebanese territorial waters off Ra's Naqurah and at the Lebanese-Palestinian border opposite the town of Ramya.

Between 2255 and 2310 hours an Israeli military boat in the open sea fired a number of rounds of medium-weapons fire and a flare bomb over the waters off Ra's Naqurah.

**9 June 2004**

Between 0720 and 0745 hours an Israeli reconnaissance aircraft flew at medium altitude over the village of Yarun, thus violating Lebanese airspace.

**10 June 2004**

At 2050 hours an Israeli reconnaissance aircraft overflew the sea off Tyre at medium altitude, then headed towards Beirut, leaving Lebanese airspace at 0150 hours on the morning of 11 June 2004.

**12 June 2004**

Between 0715 and 1015 hours an Israeli reconnaissance aircraft overflew the sea off Tyre at medium altitude, then circled over Damur and Beirut.

Between 1055 and 1130 hours an Israeli reconnaissance aircraft overflew the occupied Shab`a Farms at medium altitude.

Between 2115 and 2145 hours two Israeli helicopters overflew the occupied Shab`a Farms at medium altitude, thus violating Lebanese airspace.

**13 June 2004**

Between 1000 and 1012 hours two Israeli warplanes flew at various altitudes over the sea off Shikka, heading east, then south.

Between 1025 and 1050 hours four Israeli warplanes overflew the town of Bint Jubayl at various altitudes, then headed north, circling over Batrun and Byblos, then south. Two of them circled over Nabatiyah and Marj `Uyun, then headed north towards Na`imah, then west.

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## Draft resolution

*The Security Council,*

*Recalling* its previous resolutions, in particular resolution 1521 (2003) of 22 December 2003 and resolution 1532 (2004) of 12 March 2004, on the situation in Liberia and West Africa,

*Taking note* of the report of the Secretary-General on Liberia dated 26 May 2004 (S/2004/428) and the report of the Panel of Experts on Liberia dated 1 June 2004 (S/2004/396), both submitted pursuant to resolution 1521 (2003),

*Also taking note* of the views expressed by the Chairman of the National Transitional Government of Liberia (NTGL) in the Security Council on 3 June 2004 appealing for the lifting of current sanctions on Liberia's timber and diamonds, and the request that Council experts visit Liberia within the next 90 days to assess the performance of the NTGL in fulfilling the conditions for the lifting of sanctions,

1. *Decides* to re-establish the Panel of Experts appointed pursuant to paragraph 22 of resolution 1521 (2003) for a further period to commence no later than 30 June until 21 December 2004 to undertake the following tasks:

(a) to conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the implementation, and any violations, particularly ongoing violations, of the measures referred to in paragraphs 2, 4, 6 and 10 of resolution 1521 (2003) including any violations involving rebel movements and neighbouring countries, and including any information relevant to designation by the Committee established pursuant to resolution 1521 (2003) (hereinafter, "the Committee") of the individuals described in paragraph 4 (a) of resolution 1521 (2003), and including the various sources of financing, such as from natural resources, for the illicit trade of arms;

(b) to assess the progress made towards the goals described in paragraphs 5, 7 and 11 of resolution 1521 (2003);

(c) to monitor the implementation and enforcement of the measures imposed by paragraph 1 of resolution 1532 (2004), particularly in Liberia and in neighbouring States, as well as in other regions, and to provide the Committee with any information the Panel acquires which will facilitate the identification of individuals and entities of the types described in paragraph 1 of resolution 1532 (2004), and with recommendations on technical assistance Liberia and other States might require to implement the measures;

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(d) to assess the socio-economic and humanitarian impact of the measures imposed by resolutions 1521 (2003) and 1532 (2004);

2. *Further requests* the Panel to provide a mid-term report to the Council for its review, through the Committee, no later than 30 September 2004 with its observations and recommendations, taking into consideration progress made towards the goals identified in resolution 1521 (2003), in particular paragraphs 7 and 11 of that resolution, and also requests that the Panel present a final report to the Council, through the Committee, no later than 10 December 2004, covering all the tasks assigned to it in paragraph 1 above;

3. *Requests* the Secretary-General, upon adoption of this resolution and acting in consultation with the Committee, to appoint by 30 June 2004 no more than five experts, with the range of expertise necessary to fulfil the Panel's mandate referred to above, drawing as much as possible and as appropriate on the expertise of the members of the Panel of Experts appointed pursuant to paragraph 22 of resolution 1521 (2003), and further requests the Secretary-General to make the necessary financial arrangements to support the work of the Panel;

4. *Encourages* the NTGL to take urgent steps to establish an effective Certificate of Origin regime for trade in Liberian rough diamonds that is transparent and internationally verifiable, and urges the NTGL to establish its full authority and control over the timber producing areas, and to take all necessary steps to ensure that government revenues from the Liberian timber industry are not used to fuel conflict or otherwise in violation of the Council's resolutions but are used for legitimate purposes for the benefit of the Liberian people, including development;

5. *Reiterates* its call upon States, relevant international organizations and others in a position to do so to offer assistance to the NTGL in achieving the objectives set forth in paragraphs 5, 7 and 11 of resolution 1521 (2003);

6. *Also reiterates* its previous appeals to the international community to provide timely and adequate assistance for Liberia's reconstruction and economic recovery and, in particular, to redeem the pledges made at the Liberia Reconstruction Conference held in New York on 5-6 February 2004;

7. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and Panel of Experts, including by supplying information on possible violations of the measures imposed by paragraphs 2, 4, 6 and 10 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004);

8. *Decides* to remain actively seized of the matter.

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# The situation in the Central African Republic and the activities of the United Nations Peace-building Support Office in the Central African Republic

## Report of the Secretary-General

## I. Introduction

1. This six-monthly report is submitted pursuant to the request of the Security Council contained in a statement by its President on 26 September 2001 (see S/PRST/2001/25) in which the Council requested me to continue to keep it regularly informed of the activities of the United Nations Peace-building Support Office in the Central African Republic (BONUCA) and the situation in the Central African Republic.

2. The report covers the period from January to June 2004 and relates the major developments in the Central African Republic in the political, socio-economic, security and military as well as the activities of BONUCA, since my last report dated 29 December 2003 (S/2003/1209).

## II. Political situation

3. The political situation is marked by the launching of the electoral process with a view to restoring constitutional legality and the rule of law in 2005. In this context, the transitional government has adopted a schedule for the elections and a timeline, in cooperation with foreign partners whose financial support is indispensable for ensuring the success of the electoral process. The timeline essentially draws on the recommendations of the national dialogue.

4. The draft constitution, electoral code and ordinances on political parties and the status of the opposition and on the constitutional court and decentralization, drawn up by the ad hoc committees established for that purpose, have been considered by the transitional government and transmitted to the National Transition Council (NTC) for its views. The draft constitution is based on the Constitution of 14 January 1995, suspended since the coup d'état of 15 March 2003, as well as on the relevant recommendations of the national dialogue. The same is true of the other draft texts, which all refer explicitly to texts previously in force and to the work of the national dialogue. After NTC has been consulted and the transitional government has adopted it, the draft constitution will be submitted for approval by

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the people through a referendum. In accordance with the electoral schedule, the referendum will take place in November 2004, followed by legislative and presidential elections during the first quarter of 2005.

5. On 30 April 2004 the Head of State signed and promulgated an ordinance establishing the Mixed and Independent Electoral Commission (CEMI) and a decree on the organization and functioning of the Commission. In accordance with these texts, CEMI, in conjunction with the Ministry of the Interior, is responsible, inter alia, for: conducting an electoral census; drawing up the electoral list; printing voter registration cards; making proposals for the nomination of chairpersons and members of the polling stations and vote-counting centres; organizing the pre-electoral awareness and education campaign; monitoring the electoral process; and ensuring the implementation of the provisions of the Electoral Code.

6. The number of members of the CEMI national coordinating committee is set at 31, and the local committees have no more than 31 members. The principle of the autonomy of CEMI is established with respect to its rules of procedure and budget. All the bodies of CEMI have a balanced tripartite composition, divided evenly between the administration, the political parties and civil society. The members of the CEMI national coordinating committee were appointed by decree on 24 May 2004. When the texts concerning CEMI were published, the political parties expressed grave concern and criticized the authorities for wanting to establish an electoral commission "in their pay, which would encourage fraud".

7. In this context, certain political families strongly recommended the establishment of a mechanism for dialogue and compromise consisting of their representatives and representatives of the administration for the purpose of reaching agreement with the public authorities, as a precaution, on all the guarantees necessary for a credible electoral process. Indeed, because of the nature of the relations between the various transitional authorities, the risk of tensions, even crisis, is always latent. This is particularly the case for risks arising from the lack of consensus on some laws adopted by the executive branch and denounced by political parties and trade unions alike, as well as the failure of the main actors of the transition to comply with the commitments undertaken, particularly with regard to the recommendations of the national dialogue.

8. During the six-month period under review, NTC, the transitional body responsible for assisting General François Bozizé in his legislative activities and granted an advisory status, held the two planned regular sessions, from 20 February to 5 April 2004 and 9 April to 24 May 2004, respectively, as well as several special sessions.

9. During its first regular session, the Council considered three texts, including a text authorizing the ratification of the Protocol to the Treaty Establishing the African Economic Community relating to the Pan-African Parliament and the text on the establishment of CEMI. At its second regular session, the Council considered and approved the draft ordinances on the finance act of 2004 and on the establishment of CEMI. The draft ordinances relating to the electoral code, political parties, the constitutional court and the territorial authorities, as well as the advance draft constitution, were examined during the special session of NTC in June 2004.

10. In accordance with the recommendations of the needs assessment mission for electoral assistance that took place in December 2003, and on the initiative of my

Representative in the Central African Republic, BONUCA has established a framework for political consultations with foreign partners who support the electoral process and the entire United Nations system to ensure follow-up of this process. Similarly, the United Nations Development Programme (UNDP) has established a technical advisory committee bringing together foreign partners and experts in electoral matters recruited within the framework of its project of support to the electoral process. BONUCA is participating in the work of this Committee.

11. Moreover, the Office continues to make every effort, through mediation and its good offices with various actors involved in the transition, particularly political parties, civil society, trade unions and public authorities, to defuse tensions and find a solution to the risk of crises erupting during the implementation and completion of the electoral process. BONUCA and the United Nations family are assisting the transitional authorities inter alia in the drafting of legal reference texts or working documents such as the draft electoral code, constitution and ordinance on political parties.

## III. Security and military situation

12. The Central African authorities continue to be concerned about controlling the security situation. During the period under review, the lack of security has been most evident in the provinces, particularly in rural areas, where civilian populations are vulnerable to attacks by persons engaged in road-blocking, livestock thieves and uncontrollable elements, in particular the "former liberators" who gave military assistance to General Bozizé during the coup d'état of 15 March 2003.

13. The most recent action carried out by the "former liberators", in April 2004, severely tested the regime. The demonstrators demanded the "bonuses promised" in return for their support of the rebellion that had led to the overthrow of the regime on 15 March 2003. In exchange for these "bonuses" and laissez-passer to allow them to travel to their places of origin, the former liberators would re-enter civilian life and resume their former activities. During their demonstration, they set up barricades along the highway at the northern exit of Bangui. The demonstration gave rise to violent confrontations with the regular forces, supported by Central African Economic and Monetary Community (CEMAC) forces, which claimed 10 lives and some 15 wounded.

14. The negotiations entered into and led by General Bozizé, in cooperation with my Representative in the Central African Republic, the Ambassador of Chad to Bangui and the Commander of the CEMAC Multinational Force (FOMUC), as well as the involvement of neighbouring countries, made it possible to find a rapid solution to this problem. However, it cannot be said with certainty that the problem of the "former liberators" is settled definitively, given the unpredictable nature of these armed men. From this point of view, there is a fear that their departure from Bangui to their places of origin may contribute to an intensification of the phenomenon of road-blocking in the hinterland.

15. It has been noted, however, that since these events, the security situation has improved somewhat in the capital, which is relatively calm thanks to numerous patrols of defence and security forces supported by FOMUC. However, isolated hold-ups and armed robberies continue to occur.

16. Notwithstanding the material and financial difficulties, the process of restructuring the defence and security forces is continuing, thanks to the determination of the competent authorities and French cooperation. The military situation is progressively improving, thanks to the training and equipping of a first Mixed Intervention Battalion (BMIA), whose troops on the ground are already operational. A second battalion has almost completed its training and will be deployed shortly. For the time being, FOMUC, with the support of troops from the Central African Armed Forces (FACA), is carrying out deterrent operations in the countryside, particularly on the main highways, which is helping to reassure the people. An increase in the size and material strength of this force is crucial, especially in the light of the election dates. In accordance with its mandate, BONUCA is supporting the process of restructuring through its military team, particularly in the framework of the troop training programme implemented with French cooperation.

17. In the area of subregional security cooperation, NTC has authorized the ratification of the Protocol to the Treaty establishing the Economic Community of Central African States (ECCAS) on the Council for Peace and Security in Central Africa (COPAX), adopted in Malabo in February 2000.

18. With regard to disarmament, the transitional government has established joint disarmament brigades, particularly in Bangui, responsible for collecting weapons that are illegally owned and in circulation. It has also approved a project for the reintegration of former combatants and support to communities (PRAC) funded by the Multicountry Demobilization and Reintegration Programme (MDRP). BONUCA, particularly through its military section and early-warning unit, is working in close cooperation with experts from UNDP to implement the aforementioned project.

19. In the framework of efforts by the Office to promote national reconciliation and dialogue, the military section organized a workshop from 30 March to 1 April 2004 for the Central African Armed Forces on the need for cooperation between the military and civilians on national defence, which emphasized the importance of civilian-military relations in a democracy. The section also took part in a seminar on the theme "Towards better conflict management in Central Africa", organized in Yaoundé (Cameroon) from 9 to 14 May 2004.

20. For its part, the civil police section of the Office has continued its activities in the areas of monitoring the security situation of the country and capacity-building of the national police and gendarmerie. In this framework, it has organized training courses for law enforcement and security forces. In particular, it has organized training courses for 90 police officials and 207 gendarmes, respectively, on law enforcement, communications, criminal inquiries, investigation techniques and command structures.

## IV. Economic and social situation

21. The economic and social situation derives from the situation that prevailed at the end of 2003, which was characterized by a decline in production in most sectors of activity. The formal private sector now consists of a very small number of companies, with a low level of visibility. There has been a marked decline in the activities of the timber and diamond sectors because of the temporary suspension, by

the government, of concessions and operating permits, with a view to their overhaul. This situation has had adverse repercussions on the economic and social climate during the six-month period under review, with a 30 per cent decline in tax revenue. On 31 May 2004, only the November and December 2003 salaries could be paid, and part of the January 2004 salaries. These conditions made it impossible for the State to devote sufficient resources to the social sectors, in a country in which the prevalence of HIV/AIDS is 15 per cent, and the net rate of school attendance is under 50 per cent.

22. The poverty and vulnerability of the Central African population continue to be a source of concern. According to a survey carried out by the United Nations system in December 2003, 73 per cent of Central Africans live below the poverty line. This situation of extreme poverty is exacerbated by the constantly increasing difficulties of access to basic social services, particularly health services, by the most disadvantaged strata of the population. The humanitarian and health situation is also constantly deteriorating, with the resurgence of numerous epidemics, particularly meningitis, poliomyelitis, tropical ulcers, measles and pertussis. With regard to schools, after several months of a strike by teachers demanding their salaries, the education sector has enjoyed relative calm, particularly because of the agreement reached between the transitional government and teachers' union leaders, which led to a resumption of classes.

23. In order to confront the difficult economic and financial situation, the transitional government has adopted a number of measures aimed at stabilizing revenue from exit duties and taxes on timber exports. Similarly, tax and customs exemptions which were applied but not envisaged in the framework of CEMAC have been abolished. As a result of these measures, during the first four months of the year the government was able to collect revenue amounting to a total of 21 billion CFA francs, compared with an estimate of 22.5 billion CFA francs, which enabled it to partially pay off its arrears under the national debt. It should be noted that, in addition to arrears due to suppliers amounting to 93 billion CFA francs, the State debt to the national banking system was 35.1 billion CFA francs on 31 March 2004, while external debt servicing amounts to 563 billion CFA francs.

24. For their part, despite the prevailing insecurity and the hostile financial environment, the operational agencies of the United Nations system have concentrated on humanitarian activities, and on active participation in the implementation of emergency programmes: joint intervention of the United Nations Children's Fund (UNICEF)/World Health Organization (WHO) in combating various epidemics, particularly in the northern region of the country; launching of a programme directed by UNDP for assistance to persons living with HIV/AIDS through a contribution of $25 million received from the Global Fund to Fight AIDS, Tuberculosis and Malaria; food assistance from the World Food Programme to over 133,000 people; support from the Office of the United Nations High Commissioner for Refugees to 50,000 Sudanese and Congolese (Democratic Republic of the Congo) refugees in the Central African Republic, and to 3,000 returning former Central African refugees; and distribution, by the Food and Agriculture Organization of the United Nations, of seeds and agricultural tools.

25. With regard to national reforms and programmes in the medium term, the agencies have adopted a development assistance framework for the Central African Republic, highlighting good governance, socio-economic recovery and prevention of

HIV/AIDS. Their activities aim to support the transition and other priority programmes of the transitional institutions, supplementing the ongoing initiatives of the Bretton Woods institutions, specifically the post-conflict programme of the International Monetary Fund (IMF) and the Low Income Countries Under Stress (LICUS) Initiative of the World Bank. The success of the agencies' activities depends on direct support from the donor community, however, and the availability of additional resources. This support can be provided in the context of the Consolidated Appeal Process (CAP), which is under review, and through the mobilization of additional resources.

26. Despite the difficulties referred to above, the overall situation is improving, in particular because of the gradual resumption of mining and forestry production resulting from the recent repeal of measures for the suspension of activities in these two sectors. In the area of good governance and stabilization of public finances, the transitional government, in the context of the 2004 finance act, has adopted a number of measures, including measures for the reduction of gross salaries, on a monthly basis and under progressive rates ranging from 25 to 30 per cent, for the 2,000 public servants (including the military) who earn salaries of over 300,000 CFA francs. This will help reduce the salary bill by about 5 per cent.

## V. Human rights situation

27. The overall human rights situation, although precarious, is improving slowly. Characterized by insecurity and various attacks on the right to life, particularly in rural areas, it remains the weak point of the transition process. Nevertheless, because of the willingness shown by the Central African authorities, many positive actions have been taken. The transitional government has thus ratified the United Nations Convention against Transnational Organized Crime, following a seminar organized from 9 to 11 February 2004 by the Ministry of Foreign Affairs, in partnership with BONUCA and with the technical support of the United Nations Office on Drugs and Crime.

28. The prison authorities have issued BONUCA with a standing authorization enabling it to communicate more easily with detainees. General Bozizé has established, within his cabinet, a post of special adviser responsible for human rights and good governance, thereby reaffirming the commitment of the transitional government to work for the promotion and protection of human rights in the Central African Republic. A national committee responsible for drafting reports on the human rights situation in the Central African Republic and formulating a national plan of action for the promotion and protection of human rights has also been established by the authorities following a workshop organized by BONUCA on report writing techniques.

29. The human rights section of BONUCA has continued its activities of observation and investigation of human rights violations. It has met victims and visited detention centres in Bangui, Bouar (450 km west of Bangui) and Bossangoa (305 km north-west of the capital). In general, the conditions of detention remain below international standards. In the area of national capacity-building, the human rights section has organized training for 65 law enforcement officers and representatives of civil society in Bossangoa. It took this opportunity to look into the

conditions for the forthcoming establishment in this town of its second regional branch, after that of Bouar.

30. The information unit of BONUCA, through its traditional partnership with various radio stations, is continuing to provide media coverage of the activities of various sections of the Office, and is disseminating information on the Office's mission and mandate and on the ideals of the United Nations and the fundamental principles of human rights, through weekly and monthly broadcasts intended for all social groups.

31. The unit has also continued its national capacity-building activities in the area of the press and the promotion and protection of freedom of the press through various training courses organized in partnership with the competent government offices, the journalists' union and the group of editors of the independent private press. In the context of its awareness-raising campaign for the culture of peace, the information unit organized, in Bossangoa (north-west), from 21 to 27 February 2004, and in Bozoum (west), from 17 to 23 April 2004, "regional days" designed to introduce local populations and the political and administrative authorities to dialogue and mediation, in order to develop the habit of consultations.

## VI. Observations

32. Overall, the Central African Republic remains in a fragile situation. However, the fact that the parties have opted for management by consensus of the transition with a view to a return to the constitutional order through the organization of credible legislative and presidential elections in 2005 offers hope for a return of the stability which is essential for the country's cohesion and development. Preservation of this spirit of consensus is essential to the success of the transition. The priority actions which the transitional institutions are trying to undertake remain, during this transitional period: the restoration of security; the stabilization of public finances through the effective and ongoing management of government expenditure, particularly salaries, scholarships and pensions; the resumption of economic activity; and preparations for elections. All these actions require, in the first place, the involvement of the Central Africans and the support of the donor community and the group of friends of the Central African Republic.

33. This assistance is urgently needed, on the one hand, to consolidate firmly the achievements made and, on the other, to build confidence, since a return of confidence among external partners will promote the rapid development of a climate of peace and security which can ensure better prospects for the national economy.

34. In this respect, I encourage the partners to take into account the geostrategic position of the Central African Republic, in order to focus their attention more closely on the humanitarian and security impact of the conflict in the Sudanese region of Darfourd. If this crisis persists, Sudanese refugees living in camps established less than 50 km from the Chad-Central African Republic border will inevitably be pushed towards the Central African Republic. This scenario would have adverse repercussions on the life of Central African populations already suffering from the effects of domestic political tension and a precarious national socio-economic situation. Increased support is therefore needed for the emergency plan which the Office of the United Nations High Commissioner for Refugees is drawing up in this respect.

35. The slow improvement of the domestic economic and social environment can be consolidated only by making available to the Central African Republic new financial resources which would be derived from, among other sources, an agreement with IMF, in the third quarter of this year, concerning the implementation of a post-conflict programme. The implementation of this agreement would open the way to the mobilization of funds by the World Bank and the European Union. I welcome the recent decision of the authorities of IMF, the World Bank and the African Development Bank to support the efforts of the Central African authorities. I therefore encourage them to do everything possible to bring about an effective resumption of their programmes of cooperation with the Government.

36. In implementation of the BONUCA mandate, my Representative in Bangui and his staff will continue to monitor the evolution of the situation throughout the country. To that end, I should like to encourage all parties to take the appropriate measures to facilitate greater involvement of Central Africans in the electoral and transition process which is under way. I also appeal to the community of countries friendly to the Central African Republic to support the efforts undertaken by the transitional institutions for a successful outcome of the electoral and transition process.

37. In this regard, I should like to thank the Heads of State of Central Africa, particularly of CEMAC, for the constant efforts they are making to promote peace and a return to constitutional legality in the Central African Republic. I particularly welcome the commitment shown by my Representative, the staff of BONUCA and the United Nations family to the completion of the electoral process and a peaceful transition.

United Nations S/2004/497

# Security Council

Distr.: General
16 June 2004

Original: English

## Letter dated 16 June 2004 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1529 (2004), I have the honour to convey the attached status report of the Multinational Interim Force in Haiti (see annex). I should be grateful if the present report could be brought to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-39408 (E) 220604

# Annex

## Multinational Interim Force in Haiti

## Status report

1. The United Nations Security Council adopted resolution 1529 (2004) on 29 February 2004 in response to the deteriorating political, security and humanitarian situation in Haiti. Resolution 1529 (2004) authorized the immediate deployment of the Multinational Interim Force in Haiti (MIFH) for a period of three months to help secure and stabilize the capital, Port au Prince, and elsewhere in the country.

2. The Commander of MIFH submits the present 90-day report in accordance with operative paragraph 9 of resolution 1529 (2004).

### Task implementation

3. In the past month, MIFH extended operations to include Hinche and the southern claw of Haiti. Finding conditions stable and relatively secure in the southern claw, MIFH forces withdrew to focus resources on Hinche and the Port au Prince area. The following results have been noted since the MIFH status report dated 1 May 2004:

**Task 1**
**Contribute to a secure and stable environment to support the constitutional political process**

(1) Ongoing MIFH assessment indicates that the constitutional political process has significantly improved since the current government of Haiti (GOH) was established. GOH is still limited in its ability to maintain civil organizations and infrastructure in some isolated cities. Examples include Hinche, Les Cayes and Jeremie. Former rebel groups with a vested interest in maintaining a perception of security in order to conduct business or secure a role in the Haitian political process continue to stabilize these cities.

(2) MIFH continues to provide site security to the Presidential Palace to ensure unimpeded function of critical GOH facilities.

**Task 2**
**Facilitate humanitarian assistance and humanitarian worker access**

(1) MIFH took immediate action to relieve human suffering caused by heavy flooding in the towns of Fond Verrettes and Mapou. On 25 May, MIFH delivered 18,000 litres of bottled water, 500 boxes of fruit and 500 boxes of bread to Fond Verrettes from existing MIFH supplies. On 27 May, MIFH began a sustained effort to deliver disaster-relief supplies provided by NGOs and private voluntary organizations. In conjunction with United Nations-established prioritization of relief efforts, MIFH utilized its helicopter assets to deliver 10,000 pounds of food, 72 gallons of cooking oil, and plastic sheeting for shelter to Fond Verrettes. This delivery provided a week's worth of food to 464 families that lost their homes in the recent floods. On the same day, MIFH delivered 27,000 pounds of drinking water and 3,500 pounds of medical and

hygiene kits to Mapou. On 28 May, MIFH transported 64,000 pounds of rice, water, beans and cooking oil to Mapou and 19,000 pounds of rice, beans and hygiene kits to Fond Verrettes. Over this period, MIFH also provided helicopter transportation to GOH officials, the United Nations, NGOs and the international media. This support allowed those organizations to develop a detailed assessment of the disaster and plan future aid for this area. Facilitating transportation for the media brought international attention to this crisis, which will probably increase humanitarian aid to the area.

(2) MIFH collaborates with humanitarian assistance organizations through the Civil Military Operations Center to distribute assistance in targeted areas. This is in addition to the direct disaster relief efforts described above. MIFH civil affairs teams assess and communicate critical needs within Haitian society to the appropriate humanitarian assistance organization.

(3) Over the past 90 days, MIFH escorted 3,106 tons of food in the southern claw, the Cap Haitien and the central plateau. MIFH assisted in the distribution of 1,400 tons of food to orphanages and rest homes in Port au Prince through partnerships with NGOs and the GOH social service food distribution programme. MIFH also facilitated distribution of 70,000 40-pound bags of rice to orphanages, charitable and religious organizations and NGOs in support of the GOH food distribution programme.

(4) Over the past 90 days, MIFH has completed 13 medical civil action projects (MEDCAPS), benefiting approximately 2,500 Haitians in Cité Soleil, Bel Air, Les Cayes and Hinche. The total cost for medicines used at those MEDCAPs was $25,000.

(5) Ten hospitals and clinics have received approximately $900,000 worth of medical equipment. Also, 12 tons of medicine was distributed to 11 hospitals in Port au Prince.

(6) In conjunction with NGOs, MIFH distributed more than 800 hygiene kits to students and families in Cité Soleil and the Bel Air area.

(7) MIFH worked with the United States Embassy to distribute $855,000 of excess medical property received from the United States Southern Command (SOUTHCOM) humanitarian assistance programme to 10 hospitals and clinics in Port au Prince and Les Cayes.

(8) In conjunction with the Pan American Health Organization (PAHO), MIFH assisted in the distribution of a medical kit to the University Hospital in Bel Air. This kit will provide basic care to 3,000 Haitians over a three-month period.

(9) The Chilean Task Force received 12 tons of medicine and equipment through the Chilean Embassy, and distributed it to 11 hospitals and clinics in the Port au Prince area.

(10) MIFH secured funding for the installation of a new roof to support the surgical wing of the Cap Haitien hospital from the SOUTHCOM humanitarian assistance programme fund. The existing roof had a leak that severely disrupted the use of the surgical suite.

(11) MIFH distributed more than 98,000 gallons of water to families, schools, rest homes and orphanages. Also, five water wells have been completed in the Port au Prince area and two water points for the local village near MIFH headquarters. Local villagers had to walk two miles to obtain fresh drinking water before those water points were built.

(12) MIFH removed 450 dump trucks of trash and 70 vehicle hulks. That street cleaning project has allowed the safe movement of vehicle traffic and has improved overall health conditions. The Cité Soleil canal ditch cleaning project excavated 1.5 km of drainage canal, including dredging operations for 300 metres to allow drainage into the bay. This will significantly reduce flooding of the local community. That project employed over 100 Haitian citizens. MIFH also contracted for the construction of 24 public latrines in the Cité Soleil area. This provided the only sanitary facilities to residents in the area.

(13) MIFH supported educational programmes by distributing 1,200 school kits to primary and middle schools in Cité Soleil and Bel Air. More than 550 pieces of school furniture were distributed to 10 schools in Port au Prince. MIFH engineers constructed school benches, desks and other furniture for schools and orphanages in Cité Soleil, Bel Air and the Carrefour area. The engineers are currently working on three Organization of American States (OAS)-funded renovation/repair projects at schools in Cité Soleil. The estimated cost of those projects is $38,000.

(14) MIFH made significant improvements to the Port au Prince International Airport, the pier at Les Cayes and major roads to better facilitate the distribution of humanitarian assistance. At the airport, a significant drainage effort was undertaken, a 1.2 km road was built and a 15,000 square foot gravel-top area was installed. At Les Cayes, engineers conducted shoring operations to stabilize the pier and built tread bridges to span unsafe portions of the pier. The result is that the Les Cayes pier is now capable of offloading light vehicular traffic. MIFH engineers also undertook a project to fix a serious drainage problem on route 200. The project involved re-routing 1.1 km of the original riverbed that was flooding the road. The road has been cleared of 1,200 cubic metres of silt and traffic has been restored.

(15) United States Coast Guard forces attached to MIFH ensured safe navigation and accessibility to seaports for the delivery of critical humanitarian aid for the Haitian people.

**Task 3**

**Facilitate assistance to the Haitian National Police (HNP) and Haitian Coast Guard (HCG) to support public safety and human rights**

(1) The MIFH maritime component conducted on-the-job training with HCG by performing over 520 boarding evolutions. Also, more than 100 hours of classroom and hands-on training were conducted for maritime law enforcement, small boat coxswains, boat crewmen, weapons safety and maintenance, and outboard motor maintenance.

(2) The maritime component also conducts joint maritime patrols with the HCG and provides assistance in fixing HCG boats and physical structures.

Additional support over time is required to allow HCG to develop the ability to operate independently.

(3) MIFH conducted a thorough assessment of HCG personnel, training, equipment and infrastructure to support increased HCG competence. A long-term training and technical assistance plan was completed in coordination with HCG to restore, stabilize and sustain HCG.

(4) The primary MIFH means of ensuring security continue to be joint patrols of population centres with HNP. Those patrols reinforce the public's perception of security and normalcy, and have served to increase the experience level of HNP.

(5) MIFH has taken custody of 68 weapons. More than 30 have been destroyed; however, those that are functional will be distributed to HNP. All MIFH weapon-confiscation efforts are intended to support the ability of HNP to ensure public safety, provide force protection to MIFH personnel and improve the overall security situation in Haiti.

(6) MIFH engineers conducted an assessment of the national prison, issued a contract for removing approximately 300 cubic yards of debris and affecting significant repairs to the facility. The prison was unusable prior to those repairs. The prison can now hold 1,500 prisoners under Haitian occupancy standards.

(7) MIFH engineers also upgraded the facilities and the pier at Killick Coast Guard base. Improvements include the renovation of offices, the barracks, support spaces and the security wall surrounding the base. MIFH engineers also modified the pier to prevent damage to small patrol boats.

(8) MIFH assisted the national police in conducting assessments of the Port au Prince police stations to determine the level of required repairs.

(9) MIFH facilitated repairs to the local police academy, including improvements to 27 classrooms and four bathrooms and the provision of dormitories and new beds.

(10) Joint patrols between MIFH and HNP have been extremely productive in providing HNP with basic training and increased professionalism. The positive results of that interaction have resulted in an increased presence of HNP patrolling in the community. Joint operations have provided HNP with the security and support necessary to carry out operations against known or suspected weapons caches as well as pursuing outstanding arrest warrants. Those operations have illustrated the willingness of HNP to take action against criminal activity in Port au Prince.

(11) MIFH placed a liaison officer with the HNP Director General to improve information flow and coordination.

(12) MIFH temporarily secured outlying HNP stations, which allowed HNP to install new leadership and personnel. MIFH also provided airlift support to HNP to remote northern territories to rapidly establish new HNP leadership.

(13) MIFH helped HNP to design a new training syllabus for the police academy. The new syllabus will include human rights and anti-corruption

training. MIFH also assisted in establishing vetting procedures for both ex-military and new civilian recruits.

(14) MIFH procured funding from the Department of State for a new identification system for HNP, which will allow HNP an uncompromised identification capability that will enable them to accurately track manning levels.

(15) MIFH recommended and implemented the establishment of an emergency phone system. MIFH also assisted in establishing an anti-corruption hotline linked directly to the Inspector General's office. MIFH-Haiti assisted in establishing a 45-man rapid response force that will work directly for the Director General.

(16) MIFH has included a detachment of HNP for each disaster-relief delivery site. Those HNP teams have been used to provide an augmentation to on-site security during relief supply distribution.

**Task 4**
**Support the establishment of conditions for international and regional organizations, including the United Nations and the Organization of American States, to assist the Haitian people**

As reported in the first MIFH report in March 2004, thanks to the rapid deployment of MIFH, the staff of international and regional organizations, including OAS and the United Nations, were able to return to work on site and assistance projects have been resumed.

**Task 5**
**To coordinate, as needed, with the OAS special mission and the United Nations Special Adviser for Haiti to prevent further deterioration of the humanitarian situation**

As reported in the first MIFH report in March 2004, the MIFH commander has met with United Nations Special Adviser Dumas and with OAS representatives in order to exchange views on the situation in Haiti and the best means of responding to humanitarian objectives. MIFH contributors believe that the coordination of international and regional organizations is crucial to improve the humanitarian situation and to maximize the effectiveness of international assistance. That vital work has continued throughout the MIFH engagement.

## Transfer of responsibility to the United Nations Stabilization Mission in Haiti (MINUSTAH)

4. The Security Council adopted resolution 1542 (2004) to establish the mandate of MINUSTAH. The resolution authorizes the extension of the current MIFH mandate up to 30 days on request of the MINUSTAH commander, in recognition of the need to continue MIFH operations beyond the 1 June 2004 mandate established by Council resolution 1529.

5. MIFH forces have worked to ensure a smooth transfer of responsibility for operations in Haiti to MINUSTAH. French forces will withdraw from the northern sector and complete redeployment on 20 June 2004. Canadian and Chilean forces have agreed to remain in Haiti, switching to MINUSTAH control upon transfer of

responsibility. United States intent is for the earliest possible transfer of responsibility to allow forces in Haiti to redeploy to the United States, reconstitute and prepare for their next operational commitment. MIFH planners have maintained regular contact and communication with United Nations representatives to ensure the synchronization of United Nations and MIFH planning efforts.

6. MIFH hosted a joint MIFH-MINUSTAH transition planning conference from 3 to 7 May 2004. Current MIFH partner nations, the United Nations, Brazil and Argentina were all represented. The conference resulted in a draft joint transition document, which is pending final approval and signature by the Commander of MIFH and the appropriate United Nations representative.

7. MIFH planners continue to develop an MIFH-specific transition and redeployment order to ensure an orderly and efficient handover of sectors within Haiti and redeployment of French and United States forces to their parent nations. The MIFH redeployment process will be coordinated with MINUSTAH deployment to prevent the limited air and seaport facilities in Haiti from being overwhelmed.

**Comment**

8. The spirit of cooperation and mission accomplishment displayed by each of the MIFH partner nations and their forces provided to this mission have allowed noteworthy success in restoring stability in Haiti and renewed hope of prosperity for its people.

United Nations S/2004/498

Security Council

Distr.: General
17 June 2004

Original: English

**Letter dated 17 June 2004 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council**

I should be grateful if you would circulate the attached letter as a document of the Security Council.

(*Signed*) Lauro L. **Baja**, Jr.
Permanent Representative

04-39387 (E) 170604

## Annex to the letter dated 17 June 2004 from the Permanent Representative of the Philippines to the United Nations addressed to the President of the Security Council

## Letter dated 16 June 2004 from the Permanent Representative of the Philippines to the Permanent Representative of the Sudan

This has reference to your letter of 11 June 2004 (S/2004/490), which you addressed to me in my capacity as President of the Security Council. As some of the points contained in your letter alluded to the discussion I personally held with you, please allow me to respond to them in my national capacity.

The decision of the Security Council on the participation of the Sudan at the formal meeting of the Council to adopt resolution 1547 (2004) on 11 June 2004 was sufficiently and fully conveyed at the start of that meeting, as your letter itself has duly noted. It would be beyond the extent of my prerogatives as President of the Council to further elaborate on the Council's decision.

Your letter, however, has raised a question of interpretation of the Council's decision to allow the Sudan to "participate in the discussion". This issue is for the Council, and not for the President alone, to decide. I will leave it to your delegation on when and how you would further pursue this matter with the Council.

Please allow me now to shed more light on our discussion regarding your delegation's expressed desire and inability to be allowed to deliver a statement at the Council's formal meeting on 11 June, which the account in your letter does not fully reflect.

During our discussion, I informed you that the Philippine delegation fully sympathized with the desire of the Sudanese delegation to speak before the Council. However, as the meeting on that day was convened for the sole purpose of taking a vote on the draft resolution, and not to debate on the item on the agenda, I said to you that statements in connection with the vote are allowed only for Council members. I further informed you that the decision to allow the Sudan to deliver a statement at that meeting would have to be made by the whole Council, and not by the President alone. As President of the Council, I do not enjoy any prerogative on my own to make a decision on behalf of the Council on who would be allowed to speak at its meetings. In my consultations with individual Council members, it became apparent that while some members supported your request to deliver a statement, others did not. Thus, the Council could not reach a consensus to accede to your desire to deliver a statement at the Formal Meeting.

I would like, therefore, to correct the account in your letter that it was "by [my] decision that permission for [you] to participate in the session did not entitle [you] to deliver a statement, on the grounds that there was no precedent for it".

First, as I have communicated to you, it was not by my decision, but rather the lack of consensus by the Council to allow a statement other than explanation of votes that militated against your desire to speak before the Council.

Second, I could not recall having cited the lack of precedence on the matter as a reason for your delegation's inability to deliver a statement at the meeting. I would have been remiss if I had done so considering my full awareness that the Council, by

its decision and long-standing practice, had allowed on previous occasions two delegations to speak at formal meetings that were held for the purpose of voting on draft resolutions on the Middle East. But as I emphasized to you, while these occasions may be cited as precedents — and I agreed that they were — these instances had occurred because of a consensus in the Council, which, unfortunately, did not materialize in the case of the Sudan for the adoption of resolution 1547 (2004).

You would also recall that, in order for the Sudan to have the opportunity to make its views known, I suggested to you to send a letter to the President of the Council requesting that your statement be issued as a document of the Security Council. Indeed, you have followed my humble advice and your statement is now part of the public record as a Council document. Thus, your right to be heard has been fully preserved by the publication of your statement.

The Philippine delegation fully supports the right of every delegation to be heard on matters of concern to them with which the Security Council is seized. We support transparency in the work of the Council and the full ventilation of views on issues of general interest to the international community.

In this regard, if your delegation so wishes, I would propose to convene a meeting of the Security Council to allow your delegation a full expression of your views on matters of common interest between the Security Council and your country. I am certain that Council members would welcome this opportunity to exchange views with your delegation on these shared concerns. I would be grateful to receive your concurrence on this proposal.

Finally, in my capacity as President of the Council, I wish to inform you that I will circulate this letter as a document of the Security Council.

(*Signed*) Lauro L. **Baja**, Jr.
Permanent Representative

United Nations S/2004/499

Security Council

Distr.: General
21 June 2004

Original: English

# Report of the Secretary-General on the United Nations Disengagement Observer Force

**(for the period 9 December 2003 through 21 June 2004)**

## I. Introduction

1. The present report gives an account of the activities of the United Nations Disengagement Observer Force (UNDOF) during the last six months pursuant to the mandate contained in Security Council resolution 350 (1974) of 31 May 1974 and extended in subsequent resolutions, most recently Security Council resolution 1520 (2003) of 22 December 2003.

## II. Situation in the area and activities of the Force

2. During the period under review, the ceasefire in the Israel-Syria sector was maintained and the area of operation of UNDOF remained generally quiet, except for the Shab'a farms area (Area 6), which experienced activity originating from the area of operation of the United Nations Interim Force in Lebanon (UNIFIL), described in my reports on UNIFIL.

3. UNDOF supervised the area of separation by means of fixed positions and patrols to ensure that military forces of either party were excluded from it. The Force also carried out fortnightly inspections of equipment and force levels in the areas of limitation. Liaison officers from the party concerned accompanied the inspection teams. As in the past, both sides denied inspection teams access to some of their positions and imposed some restrictions on the Force's freedom of movement. In addition, Israeli national customs officials continued to operate at the Israel Defense Forces post at the UNDOF crossing gate between Israeli-occupied Golan and the Syrian Arab Republic.

4. The Force continued to assist the International Committee of the Red Cross (ICRC) with facilities for mail and the passage of persons through the area of separation. Within the means available, medical treatment was provided to the local population on request. During the last six months, UNDOF assisted in the crossing of 21 students and facilitated the crossing of one couple on medical grounds. In addition, UNDOF provided protection at two weddings.

04-39226 (E) 180604

5. In the area of operation, especially in the area of separation, mines continued to pose a threat to UNDOF personnel and local inhabitants. Due to the age of the mines and their deteriorating explosives, this threat has in fact increased. UNDOF continued to support the United Nations Children's Fund (UNICEF) in activities to promote mine awareness among the civilian population.

6. The Force Commander, Major General Bala Nanda Sharma, and his staff maintained close contact with the military authorities of Israel and the Syrian Arab Republic. Both sides generally cooperated with the Force in the execution of its tasks.

7. As at 31 May 2004, UNDOF comprised 1,050 troops, including National Support Elements, from Austria (364), Canada (190), Japan (45), Nepal (2), Poland (357) and Slovakia (92). In addition, 78 military observers of the United Nations Truce Supervision Organization (UNTSO) assisted the Force in carrying out its tasks. UNDOF has completed two thirds of its three-year modernization programme. A map showing the deployment of the Force is attached to the present report.

## III. Financial aspects

8. By its resolution 57/324 of 18 June 2003, the General Assembly appropriated the amount of $41.8 million gross, equivalent to $3.5 million gross per month, for the maintenance of the Force for the period from 1 July 2003 to 30 June 2004. Should the Council decide to extend the mandate of the Force beyond 30 June 2004, as recommended in paragraph 13 below, the cost of maintaining the Force will be limited to the amounts approved by the General Assembly.

9. As at 18 May 2004, unpaid assessed contributions to the UNDOF special account for the period from the inception of the Force to 30 April 2003 amounted to $17 million. Total outstanding assessed contributions for all peacekeeping operations as at the same date amounted to $1,273 million.

## IV. Implementation of Security Council resolution 338 (1973)

10. The Security Council, while deciding in its resolution 1520 (2003) to renew the mandate of UNDOF for a further period of six months, until 30 June 2004, also called upon the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973, and requested the Secretary-General to submit, at the end of the period, a report on the developments in the situation and the measures taken to implement resolution 338 (1973). The search for a peaceful settlement in the Middle East and, in particular, the efforts undertaken at various levels to implement resolution 338 (1973) were dealt with in the report of the Secretary-General on the situation in the Middle East (A/58/278), submitted pursuant to General Assembly resolutions 57/111 and 57/112 of 3 December 2002.

## V. Observations

11. The situation in the Israel-Syria sector has remained generally quiet. UNDOF, which was established in May 1974 to supervise the ceasefire called for by the Security Council and the agreement on disengagement between Syrian and Israeli

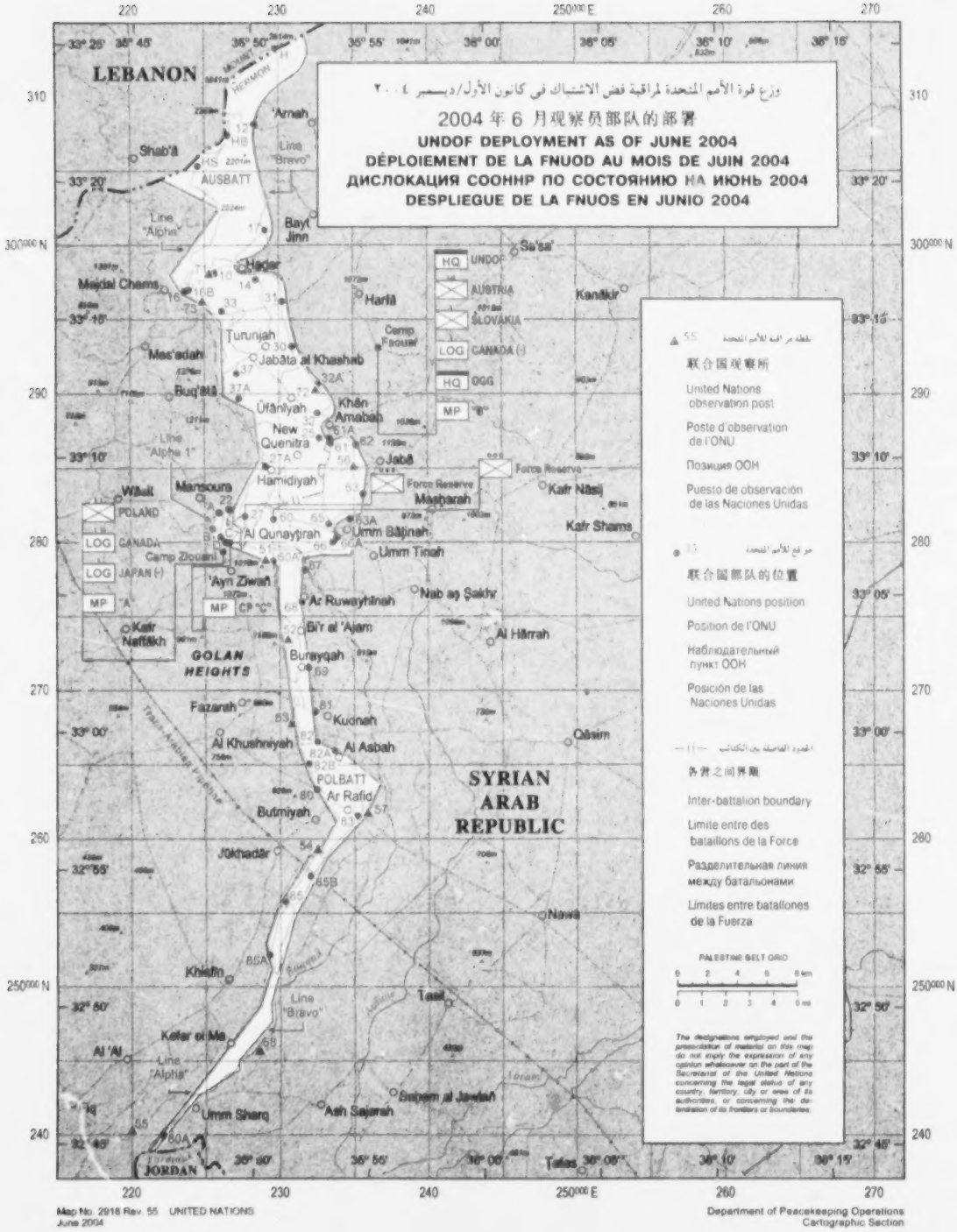
forces of 31 May 1974, has continued to perform its functions effectively, with the cooperation of the parties.

12. Nevertheless, the situation in the Middle East is very tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached. I hope that determined efforts will be made by all concerned to tackle the problem in all its aspects with a view to arriving at a just and durable peace settlement, as called for by the Security Council in its resolution 338 (1973).

13. Under the prevailing circumstances, I consider the continued presence of UNDOF in the area to be essential. I therefore recommend that the Security Council extend the mandate of the Force for a further period of six months, until 31 December 2004. The Government of the Syrian Arab Republic has given its assent to the proposed extension. The Government of Israel has also expressed its agreement.

14. In making this recommendation, I must draw attention to the shortfall in the funding of the Force. Currently, unpaid assessments amount to some $17 million. This sum represents money owed to the Member States that contribute the troops who make up the Force. I appeal to the Member States to pay their assessments promptly and in full and to clear all remaining arrears.

15. In conclusion, I wish to pay a tribute to Major General Sharma and to the men and women serving with UNDOF. They have performed with efficiency and devotion to duty the important tasks assigned to them by the Security Council. I take this opportunity to express my appreciation to the Governments contributing troops to UNDOF and to those that provide the UNTSO military observers assigned to the Force.


وزع قوة الأمم المتحدة لمراقبة فض الاشتباك في كانون الأول/ديسمبر ٢٠٠٤
2004 年 6 月观察员部队的部署
UNDOF DEPLOYMENT AS OF JUNE 2004
DÉPLOIEMENT DE LA FNUOD AU MOIS DE JUIN 2004
ДИСЛОКАЦИЯ СООННР ПО СОСТОЯНИЮ НА ИЮНЬ 2004
DESPLIEGUE DE LA FNUOS EN JUNIO 2004
LEBANON
SYRIAN ARAB REPUBLIC
JORDAN
GOLAN HEIGHTS
'Arnah
Shab'ā
Bayt Jinn
Ḥaḍar
Majdal Shams
Ḥarīṭā
Ṣa'sa'
Kanākir
Ṭurunjah
Mas'adah
Jabāta al Khashab
Buq'ātā
Ufānīyah
Khān Arnabah
New Quneitra
Jabā
Hamidiyah
Mashārah
Kafr Nāsij
Wāsil
Mansoura
Al Qunayṭirah
Umm Bāṭinah
Kafr Shams
Umm Tīnah
'Ayn Zīwān
Nab aş Şakhr
Ar Ruwayḥinah
Bi'r al 'Ajam
Al Ḥārrah
Kafr Naffākh
Burayqah
Fazarah
Kudnah
Al Khushniyah
Al Asbah
Qāsim
Ar Rafid
Butmīyah
Jōkhadār
Nawā
Khiafīn
Taasil
Kafar el Ma
Al 'Al
Umm Sharq
Ash Sajarah
Sabsam al Jawlah
Tafas
Line "Alpha"
Line "Bravo"
Line "Alpha 1"
UNDOF
AUSTRIA
SLOVAKIA
CANADA (-)
OGG
Force Reserve
POLAND
CANADA
JAPAN (-)
联合国观察所
United Nations observation post
Poste d'observation de l'ONU
Позиция ООН
Puesto de observación de las Naciones Unidas
联合国部队的位置
United Nations position
Position de l'ONU
Наблюдательный пункт ООН
Posición de las Naciones Unidas
各营之间界限
Inter-battalion boundary
Limite entre des bataillons de la Force
Разделительная линия между батальонами
Límites entre batallones de la Fuerza
PALESTINE BELT GRID
The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area of its authorities, or concerning the delimitation of its frontiers or boundaries.
Map No. 2916 Rev. 55 UNITED NATIONS
June 2004
Department of Peacekeeping Operations
Cartographic Section

United Nations S/2004/500

# Security Council

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18 June 2004

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## Letter dated 15 June 2004 from the Secretary-General addressed to the President of the Security Council

I have the honour to inform the members of the Security Council that it is my intention to appoint Søren Jessen-Petersen (Denmark) as my Special Representative and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK). Mr. Jessen-Petersen will succeed Harri Holkeri, who has resigned for health reasons.

I would like to take this opportunity to put on record my deep appreciation for the dedicated service and leadership provided by Mr. Holkeri to UNMIK in often difficult circumstances.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-39603 (E) 180604

*0439603*

United Nations S/2004/501

Security Council

Distr.: General
18 June 2004

Original: English

## Letter dated 18 June 2004 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 15 June 2004 (S/2004/500) concerning your intention to appoint Søren Jessen-Petersen (Denmark) as your Special Representative and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK) has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Lauro L. **Baja**, Jr.
President of the Security Council

04-39609 (E) 180604
*0439609*

United Nations S/2004/502

# Security Council

Distr.: General
18 June 2004

Original: English

## Letter dated 9 June 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 24 October 2003 (S/2003/1036), transmitting a second report from Mozambique submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of Mozambique to set out its preliminary comments. Mozambique has been requested to provide a response in the form of a third report by 19 August 2004.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Alexander V. **Konuzin**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

04-39659 (E) 240604

United Nations S/2004/503

Security Council

Distr.: General
18 June 2004

Original: English

## Letter dated 17 June 2004 from the Secretary-General addressed to the President of the Security Council

You would recall that in my recent report to the Security Council on the Sudan (S/2004/453), I had mentioned the appointment of a Special Representative in the context of the ongoing Sudanese peace process.

Following the usual consultations, I am pleased to inform you of my intention to appoint Jan Pronk (Netherlands) as my Special Representative for the Sudan and head of the peace support operation, which may be authorized by the Security Council at the conclusion of the Comprehensive Peace Agreement between the Government of the Sudan and the Sudan People's Liberation Movement/Army (SPLM/A).

Mr. Pronk has had a distinguished career, both as a prominent European politician and as a senior United Nations official. He served as the Secretary-General's Special Envoy for the World Summit on Sustainable Development, held in Johannesburg in 2002. From 1980 to 1985, he was Deputy Secretary-General of the United Nations Conference on Trade and Development and, from 1985 to 1986, Assistant Secretary-General of the United Nations. In his Government, he served three times as Minister for Development Cooperation.

I should be grateful if you would bring this matter to the attention of members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-39621 (E) 180604

United Nations S/2004/504

# Security Council

Distr.: General
18 June 2004

Original: English

## Letter dated 18 June 2004 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 17 June 2004 (S/2004/503) concerning your intention to appoint Jan Pronk (Netherlands) as your Special Representative for the Sudan and head of the peace support operation has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Lauro L. **Baja**, Jr.
President of the Security Council

04-39627 (E) 180604

United Nations S/2004/505

Security Council

Distr.: General
21 June 2004

Original: English

## Letter dated 18 June 2004 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General

I have the honour to enclose the assessment of the work of the Security Council during the presidency of Germany in April 2004 (see annex). This assessment has been prepared under my own responsibility following consultations with other members of the Council.

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Dr. Gunter **Pleuger**
Ambassador

04-39822 (E) 250604

## Annex to the letter dated 18 June 2004 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General

## Assessment of the work of the Security Council during the Presidency of Germany (April 2004)

### Introduction

1. The work of the Security Council during the month of April 2004 was characterized in particular by discussions about the non-proliferation of weapons of mass destruction, the question of Cyprus, Iraq and the Middle East. The Security Council also discussed the serious humanitarian crises in the Sudan (Darfur) and in northern Uganda. A Council debate on the role of business in conflict prevention, peacekeeping and peace-building highlighted the important role the private sector can play in mitigating the consequences of conflict, and the possible contribution of private business to re-establishing peace and security. The results of the Berlin Conference on Afghanistan were welcomed by the Security Council which reaffirmed its support for the long-term commitment by the international community in Afghanistan. The Security Council adopted a resolution on children in armed conflict with a view to further increase the protection of the rights of children associated with armed conflict.

2. The Council held 18 informal consultations and one private meeting, nine open briefings and public meetings as well as two open debates (on the Middle East and weapons of mass destruction). It adopted five resolutions (oil-for-food inquiry, children in armed conflict, non-proliferation of weapons of mass destruction, Western Sahara, Haiti) and five presidential statements (Afghanistan, Libyan Arab Jamahiriya, Iraq/Kuwait, Kosovo, Côte d'Ivoire). The mandate of the United Nations Mission in Western Sahara (MINURSO) was renewed for six months.

### Africa

#### Guinea-Bissau

3. In informal consultations on 6 April 2004, the representative of the Secretary-General and head of the United Nations Peace-Building Office in Guinea-Bissau (UNOGBIS), David Stephen, updated the Council on the situation in Guinea-Bissau. Members of the Council welcomed the holding of the legislative elections on 28-30 March 2004 and commended the people of Guinea-Bissau for their democratic maturity. They urged the political parties to continue to work together for national reconciliation and the return to constitutional order. They commended the coordinating roles of the United Nations Development Programme and UNOGBIS with regard to the assistance provided to Guinea-Bissau during the electoral process and the observation of the elections, respectively. They expressed their continued support for the Representative of the Secretary-General as well as for UNOGBIS. In a press statement (SC/8054), members of the Council expressed concern at the persistence of serious economic difficulties in Guinea-Bissau and made a strong appeal to the international community, to continue considering the situation in Guinea-Bissau as a matter of emergency.

**Sudan (Darfur)**

4. In consultations on 2 April, under "other matters", the Security Council heard a briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator about the humanitarian situation in the Darfur region of Sudan. He described the continued attacks of the Janjaweed militias against the local population in Darfur as acts comparable to ethnic cleansing. More than a million people had been forced from their homes by the armed conflict to date. Without immediately improved security as well as access for humanitarian agencies, the crisis would worsen dramatically.

5. In a press statement (SC/8050), members of the Council subsequently expressed their deep concern about the massive humanitarian crisis in Darfur and called on the parties concerned to fully cooperate in order to address the grave situation, to ensure the protection of civilians and to facilitate humanitarian access to the affected population. The Council also called for the conclusion of a humanitarian ceasefire and a political settlement to the dispute.

**Uganda (northern Uganda)**

6. In consultations on 14 April, under "other matters", the Security Council heard a briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator on the humanitarian situation in northern Uganda. More than 1.5 million people had been forced from their homes and over 20,000 children had been abducted since the beginning of the conflict between the Government in Kampala and the Lord's Resistance Army in the north of the country 18 years ago.

7. In a press statement (SC/8057), the Security Council strongly condemned the appalling atrocities and expressed its deep concern about the humanitarian crisis, in particular the abduction, forced recruitment and sexual violence against children. The Security Council stressed that such crimes should not remain unpunished. Council members called for an immediate end to all acts of violence against civilians and for unimpeded humanitarian access to the civilian population.

**Côte d'Ivoire**

8. The Security Council, under "other matters" on 8 April, heard a briefing by the Under-Secretary-General for Peacekeeping Operations on the transfer of troops from the Economic Community of West African States (ECOWAS) mission in Côte d'Ivoire to the newly established United Nations Operation in Côte d'Ivoire (UNOCI) which began operations on 4 April.

9. On 27 April, the Under-Secretary-General briefed the Council on the high-level mission to Côte d'Ivoire he led from 15 to 20 April. The mission was comprised of the Executive Secretary of ECOWAS, senior officials from France, the United Kingdom and the United States and a representative of the African Union. The purpose of the mission was to impress upon all Ivorian parties the urgent need to resolve the stalemate in the peace process. Members of the Council expressed their support for the mission.

10. On 30 April, the Security Council authorized its President to make a statement, emphasizing the individual responsibility of each of the Ivorian actors in the settlement of the crisis. The statement also expressed the Council's readiness to consider further steps to encourage full implementation of the Linas-Marcoussis

agreement and to promote the process of national reconciliation, including actions that might be taken, if necessary, against individuals whose activities are an obstacle to the full implementation of the agreement. The statement was issued in document S/PRST/2004/12.

### Western Sahara

11. On 27 April, the Security Council in informal consultations heard a briefing by the Assistant Secretary-General for Peacekeeping Operations on the situation concerning Western Sahara. The Assistant Secretary-General made reference to the report of the Secretary-General dated 23 April (S/2004/325), in which the Secretary-General had recommended a further extension of MINURSO's mandate.

12. The Council, on 29 April, unanimously adopted resolution 1541 (2004) reaffirming its support for the peace plan for self-determination of the people of Western Sahara as an optimum political solution on the basis of agreement between the two parties. The resolution provides for an extension of the mandate of MINURSO for a period of six months until 31 October 2004 and requests that the Secretary-General provide a report on the situation before the end of the mandate, including an evaluation of the mission size necessary for MINURSO with a view towards its possible reduction.

### Libyan Arab Jamahiriya

13. On 22 April, the Security Council authorized the President to make a statement, welcoming the decision by the Libyan Arab Jamahiriya to abandon its programmes for developing weapons of mass destruction and expressing the hope that resolution 2004/18 of the Board of Governors of the International Atomic Energy Agency would be implemented in the spirit of continued cooperation. The presidential statement was issued in document S/PRST/2004/10.

## Asia

### Iraq

14. On 16 April, in an open briefing, the United States, on behalf of the multinational force, reported to the Security Council pursuant to paragraph 25 of resolution 1511 (2003) on the efforts and progress of this force. In the subsequent closed consultations on Iraq discussion focused on the current security situation in Iraq, on the tentative ideas regarding interim structures as of 30 June presented by the Special Adviser of the Secretary-General, Lakhdar Brahimi, at a press conference held in Baghdad on 14 April, concerning a new mandate for the multinational force in Iraq and possible elements for a future Security Council resolution.

15. Following the appointment by the Secretary-General of an independent high-level inquiry on 21 April 2004, the Security Council adopted unanimously resolution 1538 (2004), in which it welcomed the appointment and called on the Coalition Provisional Authority, Iraq and all other member States to cooperate fully with the inquiry using all appropriate means. The Security Council looks forward to receiving the final report of the investigation into the administration and management of the oil-for-food programme.

16. On 27 April, the Security Council held an open briefing followed by closed consultations on Iraq with the Secretary-General's Special Adviser. In the open briefing, Mr. Brahimi further elaborated his ideas presented at a press conference in Baghdad on 14 April about interim structures following the 30 June transfer of sovereignty. He informed the Council about his plans to return to Baghdad to facilitate agreement on the proposed structures and specific personalities for the interim government. The Security Council adopted a presidential statement supporting Mr. Brahimi (S/PRST/2004/11).

17. In consultations, member States asked many questions concerning the balance of power among the multinational force, the Iraqi government and the United Nations. They also expressed concern about the very difficult security situation.

**The situation between Iraq and Kuwait (Kuwaiti missing persons and property)**

18. In informal consultations on 21 April, the Council heard a briefing from Ambassador Yuli Vorontsov, the Secretary-General's High-Level Coordinator, on the fifteenth report of the Secretary-General (S/2004/301), in accordance with paragraph 14 of Security Council resolution 1284 (1999). Council members expressed their continued support for the work of Ambassador Vorontsov and extended their condolences to the families of missing persons now identified. They expressed their hope that those responsible for the executions of Kuwaiti and third country nationals in violation of human rights and international humanitarian law will be brought to justice.

19. In a press statement (SC/8067), members of the Council also called on all parties concerned to continue to work towards a satisfactory solution of all humanitarian aspects under Ambassador Vorontsov's mandate and recalled that Iraq will continue to have international obligations, as set out in paragraph 14 of resolution 1284 (1999), after 30 June 2004.

**Middle East (including the question of Palestine)**

20. The Council held an open debate on 19 April regarding the situation in the Middle East, including the Palestinian question. The meeting followed the targeted killing of Hamas leader Abdel Aziz al-Rantisi on 17 April by Israel. In the meeting, delegations in general expressed their serious concern about the recent developments on the ground.

21. On 23 April, the Council held its monthly open briefing on the situation in the Middle East. The Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Terje Roed-Larsen, shared with the Council his assessment of the latest political developments, concentrating primarily on the Government of Israel's announced Gaza withdrawal initiative. He said that he believed that the Gaza withdrawal, if carried out in the right way, could usher in a new era of peace-making in the Middle East. For this to happen, two main elements were necessary. First, the withdrawal should constitute an end of the occupation of the Gaza Strip, not merely a military redeployment. Second, the withdrawal would have to be accompanied by the implementation of other Palestinian and Israeli obligations under the road map. He appealed to the parties to take advantage of the opportunity provided by the withdrawal initiative, and to the international community to assist the parties therein. In informal consultations

following the briefing, members of the Council agreed in general with the assessment of the situation given by the Special Coordinator.

22. Following prior informal consultations, a draft resolution demanding inter alia the cessation of extrajudicial killings was tabled as document S/2004/322 on 23 April. No action was taken.

### Afghanistan

23. The Security Council held a public meeting on the situation in Afghanistan on 6 April. The Council heard briefings by Under-Secretary-General for Peacekeeping Operations and Ambassador Pleuger of Germany on the Berlin Conference on Afghanistan. Both outlined the achievements of the Conference: reform commitments by the Afghan Government, notably in the field of disarmament, demobilization and reintegration of armed forces, significant donor pledges and increased regional cooperation in counter-narcotics efforts. They welcomed President Karzai's announcement to hold elections in September 2004. Furthermore, they highlighted the continuing security problems that threatened the holding of credible elections, as well as the increasing challenge from narcotics.

24. Council members and other States welcomed the results of the conference and underlined that tackling the remaining challenges required a long-term commitment by the international community and a lasting partnership between it and the Afghans. The Security Council authorized its President to make a statement, endorsing the Berlin Declaration and its annexes, including the final communiqué of the Berlin Conference. The statement was issued in document S/PRST/2004/9.

### Georgia

25. On 29 April, the Council held an open meeting at the request of the Permanent Mission of Georgia to the United Nations, at which the Prime Minister of Georgia, Zurab Zhvania, briefed the Council on recent developments and his countries views on the peace process in Abkhazia, Georgia.

26. Following the adjournment of this meeting, the Council held informal consultations and heard an introduction by the Assistant Secretary-General for Peacekeeping Operations to the report of the Secretary-General on the situation in Abkhazia, Georgia, and explained that progress was slow again. Council members expressed their support for the work of the Special Representative of the Secretary-General in Georgia as well as for the efforts of the Group of Friends, and stated their hope that the peace process will be carried forward despite the recent stalemate.

## Europe

### Cyprus

27. On 2 April, in an open meeting, the Council heard a briefing from the Secretary-General's Special Adviser on Cyprus, Alvaro de Soto, about the latest developments in the Cyprus talks.

28. He described the different phases of negotiations since the resumption of the Cyprus talks on 13 February 2003. He commended in particular the work of the technical experts, who had finalized 131 laws and cooperation agreements on 9,000

pages of text. However, the political level had not been able to agree on the proposed changes. In informal consultations following the open briefing, Council members expressed their appreciation for the good offices of the Secretary-General and the work of the Special Adviser and his team, and expressed hope for a solution of the Cyprus problem. In a press statement following the meeting (SC/8050), Council members noted that it was now for the Cypriots to decide their future at this important juncture.

29. On 16 April, the President of the Council made a statement to the press (SC/8061), and welcomed the results of the preparatory International Donors Conference for Cyprus, held on 15 April 2004 in Brussels, to organize financial support to cover costs linked to a possible political settlement to the Cyprus question. Council members expressed their readiness to take further actions as provided for in the plan, including by establishing a new United Nations operation in support of its swift and full implementation by all parties and by helping ensure that the parties fully met their commitments under the settlement.

30. On 19, 20 and 21 April, the Council held consultations on a draft resolution put forward by the United Kingdom and the United States. On 21 April, the draft resolution was put to a vote and was not adopted due to the negative vote of one permanent member (Russian Federation). Several Council members gave an explanation of vote (see S/PV.4947).

31. In a press statement on 29 April, members of the Security Council noted the outcome of the referenda held in Cyprus on 24 April 2004 on the comprehensive settlement of the Cyprus problem and shared the Secretary-General's disappointment that efforts since 1999 to reunify the island had not succeeded. They expressed their regret that an extraordinary and historic opportunity to resolve the Cyprus issue had been missed, reiterated their strong support for an overall political settlement in Cyprus and looked forward to the Secretary-General's forthcoming report.

**UNMIK**

32. On 13 April, the Council held a regular public meeting on Kosovo. It heard a briefing by the Under-Secretary-General for Peacekeeping Operations, who focused his briefing on the violence in Kosovo from 17 to 20 March. He warned that although the current situation was quiet, a potential for new violence continued to exist. The violent attacks mainly by Kosovo Albanians against Kosovo Serbs following a series of events, including the shooting of a Kosovo Serb youth and the drowning of two Kosovo Albanian children had been an organized, widespread, and targeted campaign. The violence had completely reverted the returns process, which prior to the events had shown signs of limited but encouraging progress. In the subsequent debate, members of the Council widely condemned ethnic violence in Kosovo, called on the provisional institutions of self-government in Kosovo to take responsibility and compensate for the losses, and reiterated their support for the "standards before status" policy. On 30 April, the Council authorized the President to make a statement on Kosovo that was issued in document S/PRST/2004/13.

## Latin America

### Haiti

33. In informal consultations on 30 April, the United Nations Secretariat introduced the report of the Secretary-General on Haiti (S/2004/300), including proposals for the mandate, structure and competencies of the multidimensional peacekeeping and nation-building mission that is to take over from the current multinational interim force, which was mandated by resolution 1529 (2004) for a period of three months. The Special Adviser of the Secretary-General for Haiti, Reginald Dumas, briefed Council members about his most recent trip to the region. He pointed out the expectation of an improvement of the cooperation between the Transitional Government of Haiti and the regional organizations. Council members welcomed the long-term comprehensive approach of the proposed United Nations-engagement in Haiti. They also requested that information on the financial implications be made available as soon as possible.

34. The Council then unanimously adopted resolution 1542 (2004) and established the Mission des Nations Unies pour la stabilisation en Haiti (MINUSTAH) for a period of six months, beginning on 1 June 2004. MINUSTAH will comprise up to 6,700 troops, up to 1,622 police officers and a number of multidimensional peace-building components. A secure and stable environment, the political process and human rights are given equal importance under the mission's mandate.

## Other issues

### Non-proliferation of weapons of mass destruction

35. On 28 April, the Council adopted resolution 1540 (2004) on the non-proliferation of weapons of mass destruction. This was the first time that the Council passed a resolution on this subject.

36. Its aim is to prevent proliferation of weapons of mass destruction, related materials and means of delivery to non-state actors. Such acts of proliferation are to be criminalized; controls, including export controls, are to be strengthened, and the respective legislation and administrative provisions improved. The adoption of this resolution was preceded by intensive discussions in consultations of the Security Council on 8 April, 20 April and 28 April, as well as in an open debate on 22 April.

37. Resolution 1540 (2004) imposes binding far-reaching obligations on all United Nations Member States to take legal and administrative action. Many members therefore called for an open debate to discuss the draft before its finalization. Such a debate was held on 22 April with the active participation of 51 United Nations Member States, with many of them making valuable contributions to the draft. The great majority of delegates expressed support for the goals of the resolution, i.e., to address a dangerous gap in the international security framework, and affirmed their commitment to fully implement this important new instrument. There was agreement that the resolution does not alter existing treaties or arrangements on disarmament, arms control, non-proliferation and verification, which retain their full importance and must be further developed, and that it does not constitute a basis for unilateral enforcement action.

38. Under the terms of the resolution, all Member States are to submit, within the next six months, a first report on steps they have taken or intend to take to implement it.

**The role of business in conflict prevention, peacekeeping and post-conflict peace-building**

39. On 15 April, the Council met to discuss the role of business in conflict prevention, peacekeeping and post-conflict peace-building. Guests speakers in the public meeting were the Secretary-General Kofi Annan, the World Bank President, the President and CEO of Siemens, Heinrich von Pierer, the President of the Economic and Social Council, Ambassador Marjatta Rasi, and the Chairman of the Advisory Groups of the Economic and Social Council for African countries emerging from conflict, Ambassador Dumisani Shadrak Kumalo.

40. There was a general view among speakers that business has an important role to play in conflict prevention and conflict resolution. Private business could fuel conflicts just as it could help to overcome conflicts. Business' role in providing employment, particularly in countries emerging from conflict, was emphasized. The Stability Pact for South Eastern Europe was referred to by some speakers as a good example for a comprehensive approach towards economic and political stabilization. The Kimberly Process for Certification of Rough Diamonds was frequently cited as a good example of partnership with the private sector to reduce the role of trade in diamonds to fund conflicts.

41. The meeting signalled the need felt for a more coherent approach by all respective institutions both inside and outside the United Nations to better use the potential of entrepreneurial initiative in stabilization efforts after a conflict. Many speakers suggested, in this regard, a follow-up to the meeting, with some members requesting a subsequent report of the Secretary-General.

**Children in armed conflict**

42. On 22 April, the Council adopted resolution 1539 (2004) on children and armed conflict. This resolution, the fifth of the Council on this subject, was the result of intense negotiations. The resolution imposes strict time-bound goals on parties that recruit or use child soldiers in contravention of their international obligations. It also gives a much needed fresh impetus to the improvement of monitoring and reporting, both at United Nations Headquarters and in the field. Other important areas of focus are the protection of children, especially girls, from sexual exploitation, the curbing of the sale of small arms as well as education as a means to halt and prevent the recruitment and re-recruitment of child soldiers. The Council has also broadened the scope of the resolution by taking into account other egregious violations aside from the recruitment of child soldiers. The resolution, therefore, brings important advances in the struggle for the protection of the rights of children associated with armed conflict.

43. In addition, in resolution 1539 (2004), the Council, for the first time, announced its intention to consider imposing targeted measures against parties that persist in illegal practices pertaining to the recruitment of child soldiers.

**Working Group on Peacekeeping**

44. On 7 April, the Security Council working group on peacekeeping discussed the configuration and mandate of the planned peacekeeping mission for Burundi. Major stakeholders in the future mission also participated in the discussion. The Secretariat briefed the working group about the situation in Burundi and plans for the peacekeeping mission. Participants subsequently exchanged views on the accomplishments of the African Mission in Burundi, contributions and support for the future United Nations peacekeeping mission, security of peacekeeping personnel, exit strategy, sustainability of United Nations peacekeeping efforts in Burundi through early linkage with peace-building measures, and benchmarks for the peacekeeping mission's mandate.

**Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaida/Taliban**

45. On 27 April, the Chairman of the Al Qaida/Taliban Sanctions Committee, Heraldo Munoz, briefed the Council on specific aspects concerning the implementation of the sanctions. Pursuant to resolution 1526 (2004), he presented a list of 68 member States which had not yet submitted reports due under resolution 1455 (2003). Underlining the importance of States' reports as invaluable tools in evaluating the level of implementation of the sanctions measures, the Chairman announced that non-reporting States will be contacted by Committee experts to discuss the reasons for their non-reporting and will be offered assistance if needed.

**Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo**

46. Following consultations among the members of the Council, on 8 April the Council elected the Permanent Representative of Algeria as Chairman of the Committee established pursuant to resolution 1533 (2004), with Benin and the Philippines being elected as Vice-Chairmen, for the term ending on 31 December 2004.

United Nations A/ES-10/271–S/2004/506

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Security Council

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**General Assembly**
**Tenth emergency special session**
Agenda item 5
**Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory**

**Security Council**
**Fifty-ninth year**

## Identical letters dated 21 June 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Israel, the occupying Power, continues to build its expansionist Wall in the Occupied Palestinian Territory in direct violation of General Assembly resolution ES-10/13 of 21 October 2003, in which the Assembly demanded "that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which is in departure of the Armistice Line of 1949 and is in contradiction to relevant provisions of international law". The occupying Power has continued to confiscate even more Palestinian land, to bulldoze and destroy more Palestinian property and to accelerate the building of the Wall also in blatant disregard for Assembly resolution ES-10/14, in which the Assembly requested the International Court of Justice to urgently render an advisory opinion on the issue, and in contempt for the ongoing deliberations of the Court on the matter.

In recent weeks, the occupying Power has issued land confiscation orders to Palestinians in the town of Salfit in preparation for the construction of the expansionist Wall deep in the Palestinian territory around the illegal settlement of "Ariel", which is located about 12 miles east of the Green Line and at the point in which the West Bank is only about 33 miles wide. According to several reports, the current plan is to build the Wall east of "Ariel" and other nearby illegal settlements, in what are being called "fingernails" by the occupying Power, leading to the de facto annexation of huge tracts of Palestinian land. Dozens of Palestinian villages and thousands of Palestinian inhabitants will be detrimentally affected by the construction of the Wall in these areas, with many of the villages being completely suffocated in walled enclaves.

Also, the occupying Power continues its illegal settlement and Wall activities on confiscated Palestinian land, in particular in and around Occupied East Jerusalem. The building of the Wall in, around and through the towns of A-Ram and Qalandiyah, north of Jerusalem, is isolating the villages and families from each

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other and making the lives of the Palestinian residents even more difficult to sustain. Protests and demonstrations against the Wall by Palestinians, Israelis and international activists in the Occupied Palestinian Territory have become a more frequent occurrence as Israel continues and accelerates its construction. The response of the Israeli occupying forces to the demonstrators has been characterized by its typical use of excessive, indiscriminate and disproportionate force. Dozens of Palestinians have been injured in recent days as they protested Israeli plans to confiscate thousands of acres of more land and tried to prevent demolition bulldozers from operating in the areas of 'Azawiyah, Dir Balut, Salfit and other towns and villages being directly affected by the Wall throughout the Occupied Palestinian Territory.

The escalation by Israel of such illegal activities and practices is clearly intended not for security purposes, as claimed by the occupying Power, but to entrench the occupying Power's de facto annexation of Palestinian land, particularly land on which illegal settlements have been build, and their surrounding areas, and to thus demarcate a new border in far departure from the pre-1967 borders. In this connection, it is important to draw attention to recent orders by the Israeli Minister for Defense, Mr. Shaul Mofaz, for the accelerated building of thousands more settlement units in the illegal settlement of "Etzion". Israel, in its relentless drive to build such facts on the ground, whether via the settlements or the Wall, has unquestionably aimed at retaining the land, rather than ending this unlawful 37-year occupation.

Such violations and grave breaches of international law continue to be committed by Israel, the occupying Power, while it continues to distract the attention of the international community with its purported plans to "disengage" from the Gaza Strip. In this regard, it is more than evident that Israel intends this disengagement not to be a genuine withdrawal but to be a means of redeploying from Gaza and containing and isolating it completely with no borders and no access to the rest of the Occupied Palestinian Territory. This intention was further clarified when the occupying Power this past week revealed plans to build a moat on Gaza's border with Egypt and opened bidding for contractors who want the project. It is being reported that the moat, which would be dug along the so-called Philadephi route, would be at least 4 kilometres long, 15-25 metres deep and about 120 metres wide, and that the occupying Power intends to demolish even more Palestinian homes in the area.

**The situation in the Occupied Palestinian Territory, including East Jerusalem, continues to be critical and is becoming increasingly urgent as each passing day brings more Israeli violations of international law, including international humanitarian law, and of the rights of the Palestinian people. The building of the Wall and all of Israel's illegal practices in this regard are taking us farther away from a peaceful settlement and seriously undermining the two-State solution to the Israeli-Palestinian conflict. Indeed, if the building of this expansionist Wall does not cease and it is not dismantled, the two-States solution will be physically impossible to achieve. Such grave threats to the search for peace and stability must be addressed by the international community and urgent efforts must be taken to revive the peace process, bring the parties back to negotiations and implement the road map.**

The present letter is in follow-up to our previous 193 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 10 June 2004 (A/ES-10/270-S/2004/485), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

United Nations A/58/844–S/2004/507

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Security Council

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**General Assembly**
**Fifty-eighth session**
Agenda item 30
**Question of Cyprus**

**Security Council**
**Fifty-ninth year**

## Letter dated 18 June 2004 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 18 June 2004, addressed to you by His Excellency Mr. Reşat Çağlar, Representative of the Turkish Republic of Northern Cyprus (see annex). I should be grateful if the present letter and its annex would be circulated as a document of the General Assembly, under agenda item 30, and of the Security Council.

(*Signed*) Umit **Pamir**
Ambassador
Permanent Representative

04-39836 (E) 220604

## Annex to the letter dated 18 June 2004 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the two letters dated 13 May 2004 and 17 May 2004 addressed to you by the Greek Cypriot representative and circulated as a document of the General Assembly and of the Security Council (A/58/797-S/2004/391) and (A/58/804-S/2004/399), respectively, which yet again contain allegations of violations of the airspace of the Republic and of the flight information region (FIR) of Nicosia, and to bring to your kind attention the following:

In response to such false and pretentious allegations, I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. Furthermore, it should be emphasized that allegations of so-called violations of the flight information region or violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only competent authority to provide air traffic and aeronautical information services.

As stated in our previous letters, such allegations are based on the false and illegitimate claim that the sovereignty of the Greek Cypriot administration extends over the whole island, including the territory of the Turkish Republic of Northern Cyprus. This claim by the Greek Cypriot side is divorced from the existing realities in Cyprus, namely, the existence of two independent States, each exercising sovereignty and jurisdiction within and above its respective territory on the island.

Attempts by the Greek Cypriot representatives, through often-repeated false claims, to confer legitimacy upon an illegal administration will be futile as long as the Turkish Cypriot people refuse to bow to its writs. What would indeed be conducive to a better climate on the island would be for the Greek Cypriot side to stop arrogating onto itself the rights and responsibilities it does not legally have, and to cease all hostilities towards the Turkish Cypriot people.

It is understandable that, in the current environment regarding Cyprus in the aftermath of the differing results of the separate referenda held in Cyprus on 24 April 2004, the Greek Cypriot side should try to distract with such letters the international community's focus from the real question about Cyprus. The real and relevant question which, at present, is being widely asked and pondered is that, as you had stated in report S/2004/437 of 28 May 2004, if the Greek Cypriots were ready to share power and prosperity with the Turkish Cypriots in a federal structure based on political equality, this needed to be demonstrated, not just by word, but by action (para. 86).

(*Signed*) Reşat **Çağlar**
Representative
Turkish Republic of Northern Cyprus

United Nations A/58/845–S/2004/508

General Assembly
Security Council

Distr.: General
22 June 2004
English
Original: Arabic

**General Assembly**
**Fifty-eighth session**
Agenda item 37
**The situation in the Middle East**

**Security Council**
**Fifty-ninth year**

**Letter dated 22 June 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General**

On instructions from my Government, I provide you with the following summary of Israeli violations and acts of aggression against Lebanon:

**31 May 2004**

At 1430 hours Israeli enemy forces positioned at Labbunah, within the occupied Shab'a Farms, fired a number of rounds of medium-weapons fire at the area surrounding the said position.

At 1945 hours an Israeli military boat in the open sea off Ra's Naqurah fired a number of rounds of medium-weapons fire within the territorial waters.

**2 June 2004**

At 1044 hours Israeli enemy forces positioned at Ruwaysat al-Alam fired a number of rounds of medium-weapons fire at the area surrounding the said position.

At various times during the night of 2 to 3 June 2004 Israeli enemy forces positioned at Ruwaysat al-Alam, within the occupied Shab'a Farms, fired a number of rounds of medium-weapons fire at the area around Kafr Shuba that caused damage to a livestock fodder storage facility.

**3 June 2004**

At 1000 hours Israeli enemy forces positioned at Zibdin, within the occupied Shab'a Farms, fired two 120-mm mortar shells at the area around Birkat al-Naqqar.

**4 June 2004**

At 1745 hours Israeli enemy forces positioned at Al-Summaqah, within the occupied Shab'a Farms area, fired a number of rounds of medium-weapons fire at the area surrounding the said position.

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**6 June 2004**

At 1025 hours an Israeli military boat in the open sea off Ra's Naqurah fired a number of rounds of medium-weapons fire within the territorial waters.

**7 June 2004**

At 2245 hours an Israeli military boat in the open sea off Ra's Naqurah fired a number of rounds of medium-weapons fire and a flare bomb within the territorial waters.

**8 June 2004**

At 0230 hours an Israeli military boat in the open sea off Ra's Naqurah fired a number of rounds of medium-weapons fire within the territorial waters.

Between 0855 and 1000 hours and between 1050 and 1220 hours Israeli enemy forces positioned in the occupied Shab`a Farms area fired a number of 120-mm mortar shells at the area around Birkat al-Naqqar, then raked the area around Ramta hill, Ruwaysat al-Alam and Al-Summaqah, within the occupied Shab`a Farms.

**9 June 2004**

Between 0845 and 0925 hours Israeli enemy forces positioned in the occupied Shab`a Farms fired a number of 120-mm mortar shells at the area around Birkat al-Naqqar, within the occupied Shab`a Farms.

**10 June 2004**

At 0925 hours Israeli enemy forces positioned at Al-Summaqah, within the occupied Shab`a Farms, fired a number of rounds at the area surrounding the said position.

Between 1930 and 1945 hours Israeli enemy forces positioned at Ruwaysat al-Alam and Radar hill, within the occupied Shab`a Farms, fired a number of rounds at the area around the said position.

**14 June 2004**

Between 0040 and 0200 hours an Israeli reconnaissance aircraft overflew the sea off Tyre at medium altitude, then proceeded north-east of Khaldah and headed back towards the south, thus violating Lebanese airspace.

**16 June 2004**

Between 0020 and 0210 hours an Israeli reconnaissance aircraft overflew the sea off Tyre at medium altitude, then proceeded north and circled over Na`imah, thus violating Lebanese airspace.

**17 June 2004**

Between 0720 and 1000 hours an Israeli reconnaissance aircraft overflew the sea off Tyre at medium altitude, then headed towards Beirut and circled over Damur and Beirut, thus violating Lebanese airspace.

Between 1005 and 1255 hours an Israeli reconnaissance aircraft overflew the sea off Tyre at medium altitude, headed towards Beirut and then circled over Sidon and Tyre, thus violating Lebanese airspace.

**20 June 2004**

Between 1130 and 1200 hours Israeli military aircraft flew at various altitudes over the occupied Shab`a Farms, Ramiyah and Marwahin, thus violating Lebanese airspace.

Between 1107 and 2135 hours Israeli military aircraft overflew the sea off Tyre at various altitudes, the headed east and circled over Tyre and Bint Jubayl, thus violating Lebanese airspace.

Between 2125 and 2145 hours Israeli military aircraft flew at various altitudes over the Hawla and Mays al-Jabal, then attacked Jamusah hill, south of the village of Tiri, firing four air-to-ground missiles, thus violating Lebanese airspace.

These grave violations are part of a series of persistent and provocative Israeli violations of Lebanese airspace and territory and are in contravention of the principles of international law and the resolutions of international legitimacy, and the Secretary-General of the United Nations has repeatedly called for their cessation.

In view of these violations and the stepping-up of Israeli threats to Lebanon and the safety of its territory and its citizens, Lebanon calls upon the Security Council to deter and prevent Israel from such dangerous acts, which pose a threat to international security and peace. Israel must assume full responsibility for those acts and for any consequences to which they may give rise.

In drawing your attention to the gravity and possible consequences of such acts, I request to have this letter of complaint circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative

United Nations S/2004/509

Security Council

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22 June 2004

Original: English

## Letter dated 22 June 2004 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to write to update you on recent developments pertaining to the Great Lakes region of Central Africa crisis, and to highlight a number of issues as the Security Council considers another presidential statement on the Democratic Republic of the Congo.

The Government of the Republic of Rwanda has been calling for the establishment of a bilateral verification mechanism for many months. The Council should recall that upon Rwanda's insistence, it was agreed during the 27 November 2003 summit held in Pretoria that such a bilateral mechanism would be established with support from the African Union and the United Nations. It was also at my Government's insistence that the Third Party Verification Mechanism (TPVM) was established under the Pretoria agreement of July 2002.

To my Government's dismay, the Government of the Democratic Republic of the Congo has been unwilling to cooperate in the establishment of this verification mechanism and has frustrated all of our initiatives in that regard. Rwanda has thus repeatedly appealed to the Council to urge the Government of the Democratic Republic of the Congo to work together with Rwanda in setting up that mechanism. Our appeal for the establishment of the mechanism was reiterated most recently in a letter to the President of the Council from the Minister of Foreign Affairs and Cooperation of the Republic of Rwanda, dated 10 June 2004.

Following recent information from Ambassador Swing, the Special Representative of the Secretary-General, that the Government of the Democratic Republic of the Congo is now finally ready to establish the mechanism, Rwanda on 18 June 2004 submitted to the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) a draft agreement for the establishment of a permanent joint commission between Rwanda and the Democratic Republic of the Congo to finalize the work of the Third Party Verification Mechanism (TPVM) (see annex). We look forward to receiving comments on this proposal from the Government of the Democratic Republic of the Congo, and to getting the process started without any further delay.

These initiatives by my Government should demonstrate to the Council that Rwanda has been at the forefront and spearheading efforts to ensure transparency through such a verification mechanism. We believe that this fact should be reflected appropriately.

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The Government of the Republic of Rwanda also wishes to remind the Council of the continued presence in the territory of the Democratic Republic of the Congo of armed and mobilized units of the ex-forces armées rwandaises/Interahamwe militia. We have received credible information that those forces have been actively participating in operations alongside Democratic Republic of the Congo government forces in the eastern Democratic Republic of the Congo and close to the border with Rwanda. Rwanda once again appeals to the Security Council to take swift appropriate action to address this issue.

My Government would once again like to bring to the attention of the Council massive troop deployments by the Government of the Democratic Republic of the Congo along the border with Rwanda. My Government believes that this action would escalate the situation and is therefore unproductive. We appeal to the Council to ensure that the Government of the Democratic Republic of the Congo stops such deployments.

The Government of the Republic of Rwanda wishes to reiterate its support for the global all-inclusive agreement and the transition process in the Democratic Republic of the Congo. Rwanda has not been engaged in any actions, directly or indirectly, to undermine the transition. Rwanda has not provided practical, political or any other kind of support to troops in the Democratic Republic of the Congo, including Major General Nkunda and Colonel Mutebutsi. To date, no credible evidence has been provided that connects Rwanda to recent fighting in the Bukavu area. We do not believe that mere presumption, suggestion or rumour constitute evidence.

Finally, my Government wishes to bring to the attention of the Council the fact that on Monday 21 June 2004, Colonel Mutebutsi, a national of the Democratic Republic of the Congo, fled to Rwanda, along with approximately 300 men, and sought refuge. In compliance with its obligations under the 1951 Convention Relating to the Status of Refugees and the Universal Declaration of Human Rights (1948), Rwanda has allowed them to enter its territory. They have all been disarmed by Rwandan security forces, and will be transferred away from the border with the Democratic Republic of the Congo, in accordance with relevant international conventions.

The Government of the Republic of Rwanda wishes to emphasize that Colonel Mutebutsi and his followers were allowed to enter Rwandan territory on humanitarian grounds. The Government of Rwanda will not permit them to engage in any activities that directly or indirectly undermine the transitional government of the Democratic Republic of the Congo and the security of that country.

We request that the present letter and its annex be circulated as a document of the Council.

(*Signed*) Stanislas **Kamanzi**
Ambassador
Permanent Representative

**Annex to the letter dated 22 June 2004 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council**

The Ministry of Foreign Affairs and Cooperation of the Republic of Rwanda presents its compliments to the Kigali Liaison Office(KLO) of United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and has the honor communicate the following:

Following the information passed on to us by Ambassador Swing, the UNSRSG in the DRC, that the DRC Government was finally ready for the establishment of the bilateral verification mechanism as was agreed upon during the November 27, 2003 summit in Pretoria, the Government of Rwanda is pleased to submit hereby its proposal for the structure and functioning of the envisioned bilateral verificanon mechanism.

The Ministry requests MONUC to pass on this proposal to the Government of the Democratic Republic of the Congo and to inform the DRC Government that the Government of Rwanda is ready to met and discuss this proposal.

The Ministry of Foreign Affairs and Cooperation of Republic of Rwanda avails itself of this opportunity to renew to the United Nations Organization Mission in the Democratic Republic of the Congo the assurances of its highest consideration.

**DRAFT**

**AGREEMENT BETWEEN THE DEMOCRATIC REPUBLIC OF THE CONGO AND THE REPUBLIC OF RWANDA ON THE FORMATION OF A PERMANENT JOINT COMMISSION TO FINALIZE THE WORK STARTED BY THE THIRD PARTY VERIFICATION MECHANISM ESTABLISHED UNDER THE PRETORIA AGREEMENT BETWEEN THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF THE CONGO AND THE REPUBLIC OF RWANDA ON THE WITHDRWAL OF RWANDAN TROOPS FROM THE TERRITORY OF THE DRC AND THE DISMANTLING OF THE INTERAHAMWE AND EXFAR FORCES, SIGNED ON THE 30TH JULY 2002**

The Government of the Democratic Republic of the Congo and the Republic of Rwanda,

**PURSUANT** to the Lusaka Ceasefire Agreement of 1999 which sets out, inter alia, modalities for the tracking down and disarmament of ex-Far and Interahamwe forces in the territory of the DRC,

**PURSUANT** to the Pretoria Agreement of 30th July 2002 between the Government of the Democratic Republic of the Congo and the Government of Rwanda on the Withdrawal of Rwandan troops from the territory of the DRC and the dismantling of the Interahamwe and ex Far forces,

**TAKING INTO ACCOUNT** the Relevant Security Council resolutions on the matter including inter alia resolutions 1291, 1304,1326,1323,1332,1341,1355,1376,1399,1417,1445,1484,1489,1493,1501

**TAKING INTO ACCOUNT** the Final Report of the Third Party Verification Mechanism to the Principals presented to them on the 27th of November 2003,

**PURSUANT** to the Final Communiqué of the Summit on the Third Party Verification Mechanism ( TPVM ) hosted by H.E President Thabo MBEKI of South Africa on the 27th November 2003,

**DETERMINED** to end, once and for all, the threat caused by the Ex-FAR / Interahamwe forces, in their different Politico-Military reincarnations, to the security and stability of the Democratic Republic of Congo and the Republic of Rwanda,

**CONVICED** that these genocidal forces constitute a threat to Peace and Stability in the Great Lakes Region.

**Decide on the following**

1. To establish a Joint Commission to complete the tasks outstanding under the Pretoria agreement, specifically the tracking down, disarming, repatriation, rehabilitation and resettlement, of the Ex Far /Interahamwe present on the territory of the Democratic Republic of the Congo.
2. The Commission shall be Co- chaired by Senior Officials from the Democratic Republic of the Congo and the Republic of Rwanda. It shall be composed of senior officials in the political, diplomatic, military and Intelligence fields, appointed to it on a permanent basis, for its duration.
3. The joint commission shall hold sessions to assess the status DDRRR of the Ex Far Interahamwe once every month, or whenever either party deems it necessary. The meetings of the Commission shall be held in Kinshasa and Kigali on a rotating basis. The Secretariat shall be assumed by the Party in whose territory the meeting is held. Whenever a meeting of the Commission is called by either party, attendance by the other shall be obligatory. The first meeting of the Commission shall be held in Kinshasa, one month after the signing of this agreement.
4. The parties shall request the African Union to appoint a permanent representative to the Commission. The African Union shall also avail senior diplomatic, military, and intelligence officials to assist the Commission in its work, and to act as independent arbiters whenever the parties fail to agree on any matter. The decisions of the African Union on matters referred to it for arbitration shall be final and binding on the parties.
5. The two governments shall be allowed to post permanent liaison officials on each other's territory, if they so wish, for purposes of regular follow up of the DDRRR process. Any official so posted will be under the charge of the sending country. They will be liable for any misconduct, under the laws of the sending party. Posting of any such official will require the prior written authorization of the receiving party.
6. The Government of the Democratic Republic of the Congo shall use all means necessary to make sure that the task of tracking, disarming , demobilization, and repatriation of the ex-Far / Interahamwe is accomplished within less than twelve months, from the signing of this agreement. Whenever the participation of the Government of Rwanda is requested to assist in this task, such assistance shall be availed. The parties may also request the African Union for assistance in accomplishing this task. The Parties will provide full access to the Commission to sites requested by either party for purposes of verification of the process of DDRRR. In this respect, the logistical support of the United Nations Organization Mission in the Democratic Republic of the Congo ( MONUC ) may be requested by the parties.
7. The Government of the Democratic Republic undertakes to continue to make it clear to the Ex Far/ Interahamwe forces in their different politico-military reincarnations, that they are not welcome on the territory of the DRC. It further

commits itself to making sure that these groups do not receive any military supplies and equipment, whatever the source of such supplies, on its territory. The ICTR will be assisted to take custody of any members of the groups, present on the territory of the DRC, in which the tribunal may have interest.

8. The Government of the Republic of Rwanda will continue to welcome any members of the armed groups who return to its territory.
9. The two Governments are concerned that the activities of the extremist elements in the leadership of Rwandan armed groups present in the DRC continue to prevent the voluntary return of combatants to Rwanda. The Government of the Democratic Republic of the Congo and the Republic of Rwanda, shall use all means at their disposal to combat this extremist leadership. The International Community, specifically the UN Security Council and MONUC are expected to play an important role in helping deal with the extremist leadership.
10. Within a period of six months, the Heads of State of the Democratic Republic of the Congo, the Republic of Rwanda, and the Chairperson of the African Union shall meet, at a venue acceptable to all, to assess progress under this agreement. This Summit, shall be called by the Chairperson of the African Union.
11. The Commission may be dissolved on the presentation of a final report to the Principals mentioned in 10 above, which concludes that the Commission has accomplished the tasks for which it had been mandated.
12. Nothing in this agreement shall be interpreted as replacing, or detracting from other agreements entered into, or bodies set up, to end the conflict in the DRC.

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Security Council

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General Assembly
Fifty-eighth session
Agenda items 37, 84 and 156

**The situation in the Middle East**

**Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories**

**Measures to eliminate international terrorism**

Security Council
Fifty-ninth year

## Note verbale dated 22 June 2004 from the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

The Permanent Mission of the Syrian Arab Republic to the United Nations presents its compliments to the Secretary-General of the United Nations and to the President of the Security Council, and has the honour to transmit herewith a reply to the Israeli allegations contained in document A/58/837-S/2004/465 dated 8 June 2004 (see annex).

It would be appreciated if the present letter and its annex could be circulated as a document of the fifty-eighth session of the General Assembly, under agenda items 37, 84 and 156, and of the Security Council.

04-39956 (E) 230604 230604

## Annex to the note verbale dated 22 June 2004 from the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

## Identical letters dated 22 June 2004 from the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government, I wish to clarify the following, in response to the Israeli claims made in document A/58/837-S/2004/465 dated 8 June 2004, which constitutes in its entirety a falsification and a distortion of the facts, and levels baseless accusations against my country in a pathetic attempt by Israel to deceive the international community as usual and justify its terrorism and aggression against the Lebanese people and its occupation of Arab lands.

While Israeli officials continue to make empty claims before the international community relating to Israel's supposed desire for peace, its continued occupation of Arab lands and the arbitrary measures taken by Israel in the occupied Palestinian territory, the occupied Syrian Golan, and against Lebanon, manifestly contradict the statements of these officials.

Israel, the occupying Power, continues to pursue its aggressive course that has been condemned hundreds of times from the standpoint of international legitimacy. It continues to escalate the situation in the Middle East and push the security situation there to the brink of collapse by committing increasing massacres and assassinations in Palestinian territory, making serious threats against the Syrian Arab Republic, and engaging in a series of persistent, almost daily provocative violations of Lebanese sovereignty by land, air and sea, in contravention of the principles of international law and relevant resolutions of international legitimacy.

It is not unknown to the international community that Israel has excused itself from implementation of Security Council resolutions 242 (1967) and 338 (1973) and has continued its occupation of Syrian and Palestinian lands from 1967 until now, and parts of Lebanese territory since 1982. It is also not unknown that peoples under foreign occupation do not need anyone to remind them of the reality of occupation and its oppression, and not to accept, and, indeed, to resist it.

The serious escalation carried out by Israel in southern Lebanon is intended merely to divert the attention of the international community from its crimes, consisting of the construction of the expansionist separation wall in the West Bank, the policy of assassinations, the destruction of homes, and the incursions it makes into Palestinian territory, not to mention its unilateral schemes circumventing relevant resolutions of international legitimacy.

It is important to point out that Israel's record as it relates to respecting international legitimacy and implementing its resolutions is not in any way an honourable one. Israel has been in defiance of the United Nations and its resolutions from 1948 until now. General Assembly resolution 181 (II) concerning the Palestinian State has remained on paper since that time. General Assembly resolution 194 (III) concerning the right of return for Palestinian refugees has met with nothing but defiance and denial from Israel. Security Council resolutions 242

(1967) and 338 (1973) seeking the realization of a just and comprehensive peace in the Middle East are opposed by Israel and encounter all kinds of distortion and infringement. Similarly, the hand of peace outstretched by the Arabs in the Beirut summit of 2002 has been greeted by Israel with the perpetration of the Jenin and Nablus massacres, a series of provocative assassinations of Palestinian leaders, the destruction of thousands of Palestinian civilian homes, and the making of threats against the Syrian Arab Republic and Lebanon.

Thus, all nations of the world can speak of international legitimacy and of implementing Security Council and General Assembly resolutions except Israel, which has become the symbol of departure from international legitimacy and defiance of its resolutions.

Anyone who follows the Middle East question and the peace process knows that the only way to end the cycle of violence is through returning to international legitimacy and a commitment to the implementation of the resolutions calling for Israel's withdrawal from all occupied Arab lands to the line of 4 June 1967, guaranteeing the legitimate rights of the Palestinian people including their right of return to their homeland in accordance with General Assembly resolution 194 (II), withdrawal from the occupied portions of southern Lebanon, and returning to the principles of the peace process launched in Madrid in 1991 with the goal of bringing about a comprehensive and lasting peace guaranteeing security and stability for all peoples of the region.

The Syrian Arab Republic wishes to affirm once again its commitment to the principles of a just and comprehensive peace as envisaged in the Madrid and Arab peace initiatives endorsed by the Beirut summit of 2002, and the relevant resolutions of international legitimacy. It has also opposed and continues to oppose terrorism and State terrorism in word and deed, inasmuch as it has actively participated in international cooperation to fight it.

The Syrian Arab Republic believes that the interests of its people dictate calming the situation not only in southern Lebanon but in the entire Middle East, but feels that the facts and evidence show that its efforts towards this objective continue to clash with the continued Israeli occupation of Arab lands and the policy followed by Israel of escalation, defiance and imposition of faits accomplis.

I should be grateful if you would circulate the text of this letter as a document of the fifty-eighth session of the General Assembly, under agenda items 37, 84 and 156, and of the Security Council.

United Nations S/2004/511

Security Council

Distr.: General
24 June 2004

Original: English

## Letter dated 23 June 2004 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

We have noted the statement issued by the President of the Security Council contained in document S/PRST/2004/21 of 22 June 2004 concerning the situation in the Democratic Republic of the Congo. In the statement there is a paragraph which reads:

> "The Security Council reminds Uganda not to interfere in the Democratic Republic of the Congo, including through military support for armed groups."

The statement has a connotation that Uganda is or may be contemplating interfering in the internal affairs of the Democratic Republic of the Congo. This is an unfortunate statement. Uganda since its withdrawal of its armed forces from the Democratic Republic of the Congo has abided by the principles of good-neighbourly relations contained in the declaration of good-neighbourly relations of 25 September 2003, and Security Council resolution 1493 (2003) of 28 July 2003. In the circumstances, the reference to Uganda in the statement was uncalled for. We accordingly call upon the President of the Security Council to correct the false impression created.

We request that the present letter be circulated as a document of the Security Council.

(*Signed*) Francis K. **Butagira**
Permanent Representative

04-40216 (E) 240604

United Nations A/58/847–S/2004/512

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Security Council

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**General Assembly**
**Fifty-eighth session**
Agenda items 131 and 132

**Security Council**
**Fifty-ninth year**

**Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994**

**Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991**

## Identical letters dated 24 June 2004 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council

I wish to apprise you of the serious financial situation which continues to plague both the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, owing to the failure of Member States to pay their assessed contributions in full and on time. Notwithstanding approval of the budgets of the Tribunals by the General Assembly, the cash position of the International Tribunals for Rwanda and the former Yugoslavia has continued to deteriorate, as contributions continue to fall short of assessments. At the end of 2002, the Tribunals had had a small cash deficit. At the end of December 2003, there were still 111 Member States which had unpaid contributions totalling over $88 million for the two Tribunals and by the end of May 2004, the situation had worsened further, thereby threatening the future work of the Tribunals.

In this connection, in August 2003, the Controller addressed a letter to each Permanent Representative of all those Member States which had not paid their

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assessed contributions for the two Tribunals, advising that as the cash available for the Tribunals had run out, the Secretariat was forced to resort to borrowing from closed peacekeeping missions. In December 2003, in the absence of improvement in the financial situation, I personally wrote to the Heads of State of those Member States which still had outstanding contributions to the budget of both Tribunals, highlighting my concerns over the impact that such a continuing situation might have on the ability of the Tribunals to implement their completion strategy.

In the light of the worsening situation with outstanding assessed contributions of 146 Member States totalling $152 million as at 31 May 2004, the Controller wrote again on 16 June to the Permanent Representatives of all Member States requesting advice from those whose assessed contributions are outstanding when those contributions might be forthcoming. At the same time, effective May 2004, the Organization had taken steps to freeze recruitment and scale down operations. Unless Member States make significant new payments for the Tribunals in the very near future, further steps will be necessary. I cannot overemphasize the magnitude of the financial crisis facing the Tribunals or the importance of Member States meeting their financial obligations.

As the President of the International Tribunal for Yugoslavia has already indicated in his letter to the Security Council on 21 May 2004 (S/2004/420), the actions taken to date to address the continuing serious financial difficulties faced by the Tribunals present a clear and present danger to the accomplishment of the daily work of the Tribunal, its ability to meet the goals of the Completion Strategy and the integrity of ongoing trials and proceedings. Further, it is my view that the serious financial situation plaguing the Tribunals will call into question the credibility of the United Nations, notably its commitment to bring to trial those responsible for serious violations of international humanitarian law both in Rwanda and the Former Yugoslavia.

I should be grateful if you would bring this letter to the attention of the members of the General Assembly and the Security Council by circulation of it as a document of the Assembly and the Security Council.

(*Signed*) Kofi A. **Annan**